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THE

Parliamentary Debates

During the Third Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland, appointed to meet at Westminster, the Eighth Day of November 1814, in the Fifty-fifth Year of the Reign of His Majesty King GEORGE the Third. [*Sess.* 1814/15.

HOUSE OF LORDS.

Tuesday, May 2.

HELLESTONE ELECTION BILL.] Earl Stanhope presented a petition from Mr. Christopher Wallis in favour of the Bill "for preventing corrupt and illegal practices, and securing the freedom and purity of Election, in the borough of Hellestone." The noble earl said, he merely presented it for their lordships consideration, without pledging himself to agree to the prayer of it. The petition was then read, and stated the constitution of the borough of Hellestone, and that the petitioner himself had, since the report of the Commons which led to the present Bill, become a freeman and voter of Hellestone; that he was also a freeholder of the two hundreds to which it was proposed that the right of voting should be extended; and that he believed that this bill of disfranchisement was the only method, considering the present constitution of the borough, by which the election could be free and independent; and he prayed to be heard by counsel at the bar in favour of the Bill.

Lord *Grenville* said, that their lordships ought at least to pause before they agreed to the prayer of this petition. This Bill was novel in its nature, for its object and principle was to disfranchise all, not merely those who had exercised their right of voting corruptly, but also those who had given an honest and independent suffrage. The principle of former bills was to disfranchise those who had voted corruptly, and —preserving the franchises of those who had not voted corruptly—to extend the right to others in the neighbourhood. Now, the petitioner stated himself to be a freeman of Hellestone; the object of his petition was, therefore, to be heard in favour of a bill which disfranchised himself, and likewise all the rest, whether guilty or innocent. This was partly a penal and partly a remedial Bill. With respect to the penal part of it, that was merely a matter of public concern, in which the petitioner, as an individual, had no particular interest so as to entitle him to be heard: but as to the remedial part of the Bill, he might perhaps have some interest, as he was a freeholder of the two hundreds to which it was proposed to extend the right of voting as a remedy against the corrupt practices alleged to have taken place in the borough. It was not decided, however, that this extension should take place; and until it was so determined, he doubted very much whether this petitioner had any right to be heard. The most proper course, therefore, would be to adjourn the debate on the petition till to-morrow, that they might consider the subject in the mean time. This was a matter of great importance, and they ought to proceed with caution.

The *Lord Chancellor* said, that this gentleman had the other day presented a petition which was found to have little or no relation to the points respecting which the petitioner was desirous to be heard; and their lordships would recollect that he had refused to be at one farthing's expense in producing witnesses in support of his allegations. If he had a right to be heard, it was because he had an interest: and if he had an interest, this conduct was very extraordinary. He came now with another petition, and the import of that petition was this, that he might be heard in favour of a bill by which he himself was to be disfranchised, and not only he himself, but all the voters of the borough—not only those who had voted corruptly, but those who might have given as honest a suffrage as any voter that ever existed. Corporations might, perhaps, in some cases incur a forfeiture by the act of the majority; but their lordships ought to be very cautious, indeed, how they entertained bills which proceeded on this principle, that the innocent and meritorious were to be sacrificed along with the guilty. But what was the nature of Mr. Wallis's interests? He stated, that he had become a freeman of the borough, and, therefore, his object was to get himself, as well as the rest, disfranchised, because the majority had voted contrary to his notions of independence. It was impossible that this could be a sort of interest which he was anxious to maintain, and, therefore, there must be some farther object, and that was, that he was a freeholder of the two hundreds to which it was proposed to extend the elective franchise of this borough. But till parliament had decided that this should take place, he had no interest in respect of that freehold. His opinion, therefore, at present was, that the petitioner had no more interest than he (the Lord Chancellor) had, and that was no interest at all. Parliament might, by possibility, choose to extend the right to Dorsetshire, and Northumberland, and then he might have an interest; but till Parliament did so, he had none, and the petitioner had as little in respect of the freehold which he had mentioned. The petitioner had refused to produce witnesses in support of his petition; but what their lordships might do, acting in behalf of the public, was another question. They would no doubt examine the matter with that attention which the importance of the subject unquestionably demanded; but as for Mr. Wallis, it appeared to him at present, that he had no interest whatever to entitle him to be heard. He agreed, however, that the most proper course would be to adjourn the debate on the petition till to-morrow.

Earl *Stanhope* decidedly agreed with his noble relation near him, and the noble lord on the woolsack, in every respect except one, and that was the adjourning of the debate on the petition, for in his opinion it ought to be rejected immediately. A petition as absurdly worded as any petition that ever came before their lordships had been presented the other day from the same person, and it was found to have no proper relation to the matter with regard to which the petitioner wished to be heard. It was therefore withdrawn, and he now presented another, but he had stated that he did not pledge himself to support it. He had only presented it in order to raise the question, and he fully agreed that the petitioner had no interest to entitle him to be heard.

The debate was adjourned till to-morrow.

Negociations with the Government of Naples.] The order of the day upon which their lordships were summoned being read,

Earl *Grey* said, that in pursuance of the notice which he had some days ago given, it had been his intention this day to have submitted to their lordships a motion for an Address to the Prince Regent, praying that he would be pleased to lay on the table copies of the negociations carried on between the Government of this country and the present Government of Naples, with a view to bring before their lordships and the public the engagements which had been entered into with respect to that power, and the justice or injustice of our proceedings with regard to it. He had also intended to have made a statement to their lordships for the purpose of showing them the grounds upon which it appeared to him that such a motion was called for. It had been contended, that it was much better to wait till the proceedings of the Congress at Vienna could be produced entire before their lordships, in order that the various subjects which had been matter of arrangement at the Congress might be discussed all together, when their lordships would be enabled to see the nature and bearings of each of the parts, both as considered separately, and as viewed in connexion with the rest. Admitting that such was, generally speaking, the most desirable course, both he and others had contended, that there were particular cases of such a description that the general rule with respect to them ought to be departed from. Of that description appeared to him to be the case of Naples; and it was for that reason that he intended to have brought that question before their lordships without further delay. Since he had come down to the house, however, he had been informed that it was not the intention of ministers to refuse the information for which he proposed to have called on the subject of our relations with Naples. To that particular point his motion was to have been confined; and as this was conceded to him, and as he was at all times desirous of abstaining from wasting their lordships time in unnecessary discussion, he should not now enter into that statement, which, under other circumstances, it would have been his duty to have made. Their lordships, he believed, would concur with him, that the most convenient and proper time for discussion would be after the desired information should have been laid on their lordships table, and for that reason he abstained from any thing that could provoke discussion at this moment. Whether any further, and what information might be requisite to bring this question fairly before the House and the public, would be best determined when such information as the noble earl opposite thought it consistent with his public duty at present to produce should be laid before them. He had now, then, only to request the noble earl to state the manner and form in which it was his intention to produce the information, which he understood it to be his inclination to grant. He trusted the noble earl would not say that the form of production ought to be in consequence of any motion of his (earl Grey), because this appeared to him to be a case in which it ought to come down to their lordships in the shape of a message from the Prince Regent. It was often attended with very great inconvenience when the information came in any other manner; and generally speaking, unless information of this kind could be so produced, it ought not to be produced at all. An instance had lately taken place which might serve as an illustration of that inconvenience. He alluded to the Treaty of the 25th of March. The noble earl had stated the general principle, that no treaty ought to be laid before Parliament until it had been regularly ratified: and yet the substance of that Treaty had been produced on the motion of an individual peer of that House. To that Treaty, however, a declaration had been added on the part of this country after it had been received from abroad, which possibly,—he was not now speaking of probabilities,—but which might possibly induce the Allies to make some material alteration in that Treaty; and the inconvenience of producing it under such circumstances was this, that Parliament might perhaps be discussing it when of a very different nature and complexion from what it might ultimately turn out to be. Information of that kind ought, therefore, to be brought down by message from the Crown, or from the person by whom the powers of the Crown were administered; and unless it could be so produced, it ought not to be produced at all. Now this was precisely a case of that description, with respect to which the information ought to be brought down by message from the Crown, and the circumstances were such as, in his opinion, authorized that mode of proceeding. He did not mean to enter into any discussion as to the nature of the situation in which this country had stood with regard to Naples for this some time past; only desiring their lordships to attend to the fact, that though that was called an armistice, it was in substance, and in the contemplation of the parties and the world, a Preliminary Treaty of Peace, which was fully expected soon to be made definitive: and it was impossible for him not so to consider it, when he recollected that in the Speech of the Prince Regent at the opening of Parliament, America was stated to be the only power with which we were then at war; importing, that with all the European powers we were substantially in a state of peace: and also when he considered that the commercial relation between the two countries had been renewed. This, therefore, was not like the rupture of a common armistice, but rather like the commencement of a new war; an occasion on which a communication to Parliament from the Crown was always made. But then it might be said, that there was no precedent for such a message from the Crown to Parliament on the rupture of an armistice. He could not say that there was an exact precedent, because he did not recollect any case exactly similar to the present in all its circumstances: but in point of principle there were numerous precedents—and he might, as he believed with confidence that their lordships would concur with him, say, that it was the ordinary course of proceeding between the Executive Government and Parliament. For instance, during the late war with France, many attempts were made to bring about a peace between the two countries, and negociations were entered into with that view, but which had unfortunately failed in securing that desirable object. On these occasions, when the negociations were broken off, a communication was always made to Parliament by message from the Crown, of the principles upon which each negociation had been conducted, and the reasons why it had been broken off. It was true, that in these instances the negociations did not proceed under the circumstances of a suspension of hostilities; but he asked their lordships, whether it ought to make any difference in this respect, that no armistice existed,—or whether the circumstance of an armistice having existed during the negociation now in question, and especially an armistice of such a nature and long continuance as the present, was not rather favourable to the proposition which he maintained, that the information ought to be given by message from the Crown. Having said thus much, he would not take up their lordships time any longer respecting what he had said before, that the discussion of this subject would come with much more convenience and utility when the papers were produced, and particularly with more convenience if they should be produced in the form which he recommended.

The Earl of *Liverpool* said, that there could be no objection as to the production of the information asked for by the noble earl in the fullest extent, namely, a communication of the negociations which had taken place between his Majesty's Government and the Government of Naples respecting the armistice concluded between them, and since the conclusion of that armistice. He was not aware that in any case of the rupture of an armistice, which had not been communicated to Parliament, there had ever been any communication respecting the circumstances which had led to such rupture. The noble lord had said that there was no analogous case, and he was not aware that there was any case exactly analogous. As the subject of Naples had been irregularly brought before Parliament at a time when that country was under the consideration of the Congress of Vienna, and as considerable misrepresentations had gone abroad respecting the conduct of the British Government, it was desirable that the question of Naples should be separately considered. He had stated last night, that though he could not say that hostilities had taken place, yet the commander of his Majesty's forces in the Mediterranean had given notice to the person exercising the sovereign authority at Naples, that he considered the armistice at an end, in consequence of his hostile aggressions against the Allies of his Majesty; and that we might consider ourselves, if not in a state of actual hostility, at least in a state when hostilities were about to take place. So much with regard to hostilities. He had no authority from his royal highness the Prince Regent to make any communication to the House, of the circumstances which had led to a rupture of the armistice; but at the same time he had no hesitation in stating, that he should have no difficulty in acceding to any motion for the production of the necessary information; and if the noble earl would not bring forward a motion, he should do so himself, for the production of the correspondence, and other papers, relative to this question. It was not strictly necessary that he should say more on the subject at present; and he professed himself as averse as the noble lord to give rise to a premature discussion; but he hoped that he should be excused for taking the present opportunity of saying a few words, with a view to remove some of the prejudices which existed on the subject of this question. Indeed, after the statement of the noble lord, he would not be discharging his duty if he did not endeavour to remove those prejudices, and to state the nature of the information which the papers to be communicated would be found to contain. The ground on which the noble lord had given notice of his motion, was, that after having made an armistice, which though on the face of it appeared merely an armistice, was yet connected with other transactions, and was in fact to be considered as a species of preliminary treaty of peace—the question ought not to be considered with reference to an armistice only; that his Majesty's Government having approved of the Treaty of Peace concluded between Austria and Naples, had held out expectations of a similar treaty with this country, and not having fulfilled such expectations, they had virtually broken the engagement which they had contracted with the ruler of Naples. Without going into any minute particulars, he would shortly state to the House the light in which he viewed these transactions. Their lordships were aware of the previous engagements with the King of Sicily; and though this country had guaranteed Sicily to his Sicilian Majesty, yet, however desirable such an event might be, we had come under no engagement to procure the restoration of Naples to his Sicilian Majesty. In the course of the events which preceded, for some time, the conclusion of the last war, a disposition had been shown by the present ruler of Naples to enter into a negociation with this country; and at one time a negociation was actually commenced, though nothing grew out of that negociation. In September or October 1813, another negociation was opened with the same person, but this negociation was terminated by his junction with Buonaparté on the Elbe; and he continued to assist Buonaparté till after the battle of Leipsic. After this event further overtures of negociation were made by him; and the most anxious desire was expressed by the Austrian Government to conclude a peace with the *de facto* Government of Naples, which they represented as indispensable to the success of the operations then going on. He allowed, that the Allied Powers acquiesced in this proposal; and he had no difficulty in saying, that the peace between Austria and Naples, though nominally between those countries only, was not concluded without the consent of all the other Allied Powers, and among others Great Britain. But two conditions were always coupled with this peace: first, That a compensation for Naples should be given to the King of Sicily; and, secondly, That marshal Murat should cordially co-operate with the Allies in the general cause. He did not wish to rest the matter, therefore, on the mere armistice; he would admit, that provided a compensation should be given to the King of Sicily, and that a cordial co-operation should be afforded, this country was bound to follow up the armistice with a peace. It became essential, then, to inquire particularly into this point—whether, on his part, he had actually afforded a cordial co-operation in the cause of the Allies. Very soon after the conclusion of the Treaty, there were reasons for suspecting, from a variety of sources of information, that he was actually at times, not cordially co-operating, but playing a double part, waiting to see which of the two great parties were likely to have the advantage, and then declaring himself for the most powerful. When this information, such as he had stated it, was received, he had viewed it with a considerable degree of jealousy, because, whether true or false, it was natural to suppose that endeavours would be used, in such a case, to give a strained construction to the facts of it. But when his noble friend (lord Castlereagh) arrived at Paris in the month of May, he received information from a quarter on which the utmost reliance could be placed, and which gave him and the Allied Sovereigns a moral conviction that a communication was all the time kept up between the military government of France and marshal Murat. He would not at present disclose the source of the information, though no doubt was left as to the fact. He had already stated that marshal Murat could only expect the armistice could be durable in proportion to his cordial and honest co-operation. Upon the assembling of Congress at Vienna, the same communication was made to them, and this having come to the knowledge of the Sovereign of Naples, or his ministers at the Congress, a long memoir was given in by the duke de Campochiaro, justifying the whole of Murat's conduct, from the beginning to the end of the campaign. This Memoir was referred to a person in every respect the best judge of the conduct of marshal Murat, the officer commanding the Austrian army, with whom he had co-operated. To a more respectable individual an appeal could not have been made. General Nugent made a long Report on the Memoir laid before him, on the conduct of Murat during the campaign, giving his most decided opinion—not a loose opinion, but an opinion founded on facts, which he brought forward, that not only had Murat not co-operated cordially, but he had even violated the substance of the engagement. On the receipt of this report, lord Castlereagh felt it to be his duty to ascertain this matter further, and he sent the Memoir of Campochiaro, and general Nugent's Report on it, to the second best authority, lord William Bentinck, who had concluded the armistice with Murat, and also co-operated with him. Lord William Bentinck's Report, which would be laid before the House, confirmed the opinion of general Nugent by an enumeration of similar facts, and contained a distinct opinion, that not only the engagement entered into had not been fulfilled, but that no doubt remained on his mind of his acting in direct violation of it.

Very little doubt was on his mind as to what was the notion of the co-operation under the engagement; but other papers, would also be laid before them, which would show what the sentiments of the French authorities were on this subject. They would learn the sentiments of the person who was at present the head officer of Police in France, of the present Ruler of that country, of the commandant of Ancona, and of the viceroy Eugene Beauharnois. They would see that no part of the engagement of the Allies had been acted on; but that, on the contrary, there was the most deliberate treachery on the part of marshal Murat. He hoped that this short statement, which was not intended to provoke discussion, would do away the imputation that this country, always noted for its good faith, had, on any quibble or neglect of form, or from the engagement being expressed in a dispatch and not a treaty, availed itself of any such circumstances to avoid keeping an engagement which if the other party performed honestly their part, it would be bound to fulfil. The Treaty must have depended on the honest, fair, and cordial co-operation of Murat. Till the late events had occurred, no decision of Congress was pronounced. This was one of the questions which was not brought forward at an early period of the negociation, and it was not settled till after the landing had taken place which had led to the renewal of hostilities. He could not allow this occasion to pass by without stating what were the grounds on which his Majesty's Government had proceeded. He admitted that he would not have been justified in making this statement, if he was not at the same time prepared to follow it up by the production of the whole of the documents. The noble earl concluded with moving an Address for the production of the papers in question.

Earl *Grey* said, that the noble earl had not followed the example which he had set him of abstaining from all discussion till after the House were in possession of the requisite information. Even now, however, notwithstanding all that had been said, he would not go into much discussion, though on some points he could not avoid stating a few words. The noble earl had stated the nature of our previous engagement with Sicily—an engagement solemnly entered into, and since confirmed and strengthened by a coincidence of circumstances. In consequence of the alliance with us, Sicily had been involved in war with France, and had thereby lost the kingdom of Naples. The noble earl had certainly stated this engagement with the King of Sicily in too low a tone, when he said that it did not bind us to a restoration of his ancient dominions. If the engagement did not bring us to this in express terms, it certainly went very near it; for in the Treaty of July, 1804, there was an express provision, that Sicily should enter into no peace with France in which England was not included; and therefore, if Sicily could make no peace with France, were we not bound to take the utmost care of the interests of his Sicilian Majesty? It did not bind us in express terms to a restriction of his ancient dominions; but it formed a ground for inquiry, whether the pressure of the war was such as to force us to relinquish the accomplishing such an object for that monarch. He did not say that circumstances of necessity might not arise when that decision, however painful, became necessary; but nothing except an over-ruling necessity ought to have compelled us to depart from such an object. He would not at present enter into the question, whether Austria ought to have been relieved from the pressure of the person who held the government of Naples, at the expense of the good faith and honour of this country, pledged to the King of Sicily. All he now wanted was, the establishing that a decision had been taken for relinquishing the engagement with Sicily, and becoming parties to the Treaty between Austria and Naples, in which the kingdom of Naples was guaranteed to the present sovereign against all attack. This important treaty was concluded on the 11th of January, and acceded to by the Allies. In consequence of letters written by lord Castlereagh, from Basle, an armistice was concluded between Great Britain and Naples, on the 3d of February consisting of four articles—not a mere suspension of hostilities, but more in the nature of a Treaty of peace and alliance. He stipulated, 1st. That there should be a cessation of hostilities by sea and land. 2d, That there should be a free commerce in articles not prohibited, and that all ports occupied by the British arms should be open to the Neapolitan flag, which was a renewal of commercial relations. 3dly, That a notice of three months should be given of the intention to break the armistice; and the 4th article related to a convention for a plan of combined operations. This was a convention for military co-operation, which, in point of fact, actually took place. It did, in point of fact, confirm the Austrian Treaty, guaranteeing to Murat the full and entire sovereignty of Naples. On the 15th of February the convention of Troyes was entered into, of which the 3d article awarded to the King of Sicily a liberal indemnity in Italy, according to the scale of his losses, and the means at the disposal of the Allied Powers. But this Treaty did not consist only of ostensible and public articles, for there were two secret articles, in which it was stipulated, not only that the Sovereign of Naples should be maintained in possession of his sovereignty, but also that he should receive an accession of territory for his claims on the kingdom of Sicily; and in that article the noble secretary and the Allies then began the new mode of calculation, by which the inhabitants of a country were numbered like so many cattle—the King of Naples to receive an accession of territory comprehending not less than 400,000 souls. The noble earl then proceeded to notice the confirmation of the Convention in the conferences at Chatillon, and the letter of lord Castlereagh to lord William Bentinck, of the 3d of April, respecting the proceedings of the King of Sicily; and he inferred, from all he had stated, that the engagement amounted to a preliminary treaty of alliance, to the fulfilment of which the King of Naples had a right, if such right was not forfeited by some proceeding of his own.—He now came to the two considerations on which the fulfilment was stated to depend. The first of these was the indemnity to Sicily, and the second a co-operation;—no; not a co-operation, but a cordial co-operation between Murat and the Allies. With respect to the indemnity, it was not to be taken from Murat's dominions, but from the disposable fund possessed by the Allies; and except he endeavoured to defeat or oppose such indemnity, nothing on this point could be laid to his charge. In entering on the subject of the co-operation, he entreated their lordships to believe, that he was not disposed to be the apologist of that person; but it was certain, that the military co-operation which was wished for, and which had relieved Austria from the pressure which prevented her from directing her efforts with vigour against France, was actually obtained. Marshal Murat, after the Treaty of the 11th of January, first occupied Tuscany and the Roman states, took Ancona after a siege of eight days, and arrived at last on the Po. The great benefit derived from this was evident from the proclamation of general Bellegarde. The viceroy was obliged to take a defensive position behind the Mincio, and prevented from any thing more than defensive operations. To his army of 45,000 men, stated to be of the most excellent description, and on which such stress was laid in defending the Treaty of Fontainbleau, General Bellegarde had only 30,000 to oppose. If Murat had added his force to that of the viceroy, general Bellegarde would have been compelled to go behind the Tagliamento, and from the easy access to Vienna from that quarter, Austria would no longer have been able to continue her efforts for the cause of the alliance; and as it was by the most narrow accident in the world that it succeeded at last, they owed to the co-operation of Murat that success in all probability. It was too late to come forward now and say, that he did not act with all the cordiality which might have been wished. He wished to defer saying any thing however on this subject, till he should see the reports of general Nugent and lord William Bentinck, and of the latter more especially, knowing, as he did, that he not only possessed the highest degree of truth and honour, but a clear and excellent understanding, and that he was not likely to have an undue bias either on one side or another. He was not the apologist of Murat; but he contended that we had had the benefit of the co-operation of Murat, though not probably to the extent which was expected. We owed to it, however, the success of the campaign, and we ought to be very cautious, therefore, how we set aside an engagement in virtue of which we had derived so many advantages. If the noble earl were to examine accurately into the subject, he would find, perhaps, that without any treachery or bad faith on the part of Murat, his co-operation might not have been so active as they expected. Had those charges of bad faith and treachery been made openly? If not, the circumstances were still more suspicious. They might be true; but if so, they ought to have been made openly, and followed up by assisting the King of Sicily to recover his ancient dominions. This would have been sound policy as well as strict justice, for if the character of marshal Murat was such as the noble earl had represented it to be, considering the state of Europe, considering the situation of Italy (declared by every one to be in the greatest danger), having such a case against marshal Murat, it was the height of impolicy to suffer a man who had exhibited such treachery and perfidy, to wait until an opportunity offered to set fire to the magazine of combustibles which had been accumulated. This was *primâ facie* a strong case against his Majesty's ministers. But, in the mean time, what had been done? Their lordships had all seen the letter from the prince of Benevento to lord Castlereagh[*] (and he was persuaded that most of them had felt the deepest shame on its perusal); a letter which proved, that though we were not disposed to any manly and vigorous operations, we were quite ready to adopt all kinds of secret and underhand proceedings. I repeat, continued lord Grey, that no doubt all your lordships have seen this extraordinary letter, and have seen it with feelings of resentment for the injured honour, for the humiliation and shame of the remaining character of this country, so deeply involved, and so much more so if it were written not merely on the writer's own notion, but as the reply to some preceding communication from the British minister. I trust, my lords, that

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[*] Copy of a LETTER from the Prince De Talleyrand to Lord Viscount Castlereagh, dated Vienna, Dec. 15, 1814.

"My lord;—You desire me to make known to you in what manner I conceive the affair of Naples ought to be settled in Congress; for as there is a necessity of settling it, it is a point upon which there ought not to be one moment of uncertainty in a mind like yours. It would be for ever a subject of reproach, and I will say, even an eternal subject of shame, if the right of sovereignty over an ancient and fine kingdom, like that of Naples, being contested, Europe united for the first time (and probably for the last) in general congress, should leave undecided a question of this nature, and, sanctioning in some degree usurpation by its silence, should give ground for the opinion, that the only source of right is force. I have not at the same time to convince your excellency of the rights of Ferdinand 4. England has never ceased to recognise them. In the war in which he lost Naples, England was his ally. She has been since, and is so still. Never has she recognised the title that the person who now governs at Naples assumes, nor the right which this title supposes: therefore, in concurring to assure the rights of king Ferdinand, England has only one plain thing to do—which is to declare in Congress what she has always recognised, that Ferdinand 4. is the legitimate sovereign of the kingdom of Naples.

"Perhaps England, heretofore the ally of Ferdinand 4, desires still to be so. Perhaps she may believe her honour demands that she should assist, if need be, with her forces, for his regaining the crown of which he has been recognised the sovereign; but this is not an obligation that can flow from a pure and simple acknowledgment of the rights of this prince, because the recognition of a right does not naturally carry with it any other obligation, than that of doing nothing that may be contrary to such right, and of not supporting any pretension that may be set up against it. It does not carry with it the obligation of fighting in his defence.

"It may be that I deceive myself, but it appears to me infinitely probable, that a frank and unanimous declaration of the Powers of Europe, and the certitude of the person who now governs at Naples, that he would not be supported by any one, would render useless the employment of force; but if the contrary should happen, those only of the allies of King Ferdinand would be necessary, who should think proper to lend him their support.

"Is it feared that, in this case, the war should spread beyond the limits of the kingdom of Naples, and that the tranquillity of Italy should again be interrupted? Is it feared that foreign troops should again traverse Italy? These fears may be obviated by stipulating that the kingdom of Naples should not be attacked by the Italian continent. Austria appears to be engaged towards him, who governs at Naples, to guarantee him from all attack on this side; and if, as we are assured, Austria has only engaged herself for this (how can it be supposed that the Emperor has given his guarantee against the rights of a prince, at once his uncle and his father-in-law, to the possession of a kingdom which he lost in making common cause with Austria), she cannot be embarrassed in reconciling with justice that was not the case. I trust that that letter is attributable only to the master-hand that is skilled in such productions; for, in the worst transaction of the worst period of the worst government that ever existed—in the vilest deceit, the most infamous perfidy, the foulest crime that ever occurred—in the blackest record of fraud and imposture that is to be met with in the annals of the world, nothing can be found more flagrant and heinous—nothing more hateful for its treachery—nothing more contemptible for its baseness. Still in that paper not a word was said of the King of Naples having forfeited his sovereignty by his conduct. All that was said was, that although he could not be attacked through Italy, he was assailable by sea; and the writer, with a degree of insult to his correspondent which it was difficult to conceive how a British minister could bear, concluded that lord Castlereagh had authority from his Court to assent to the proposed measure, and, if not, requested that he would obtain it. He would abstain from saying any thing further on the subject at present. All that he now stated was, that it required a very strong case to exempt the Allies from the engagements into which they had entered with marshal Murat, the more especially as they had experienced important co-operation from him under circumstances of a very critical nature. The question would be fully open to discussion when their lordships should come to the consideration of the papers to be produced by the noble earl. He should wait to see those documents; and if they appeared to him to be defective, he had no doubt that the noble earl would have the candour to supply the deficiency. He repeated, that in his opinion this was a case which demanded that a communication should have been made to their lordships from the Crown; that all the papers should have been laid on their lordships table by command of his royal highness the Prince Regent, accompanied by an explanatory statement on the part of his Majesty's ministers.

The Earl of *Liverpool* did not rise to prolong the discussion, but to say that he so far agreed with the noble earl, that if the papers which he would produce should not be considered satisfactory, it would be perfectly just to supply any deficiency which might exist in them. He must, however, beg leave to offer to their lordships a few words in explanation of his former statement. No specific obligation had ever been entered into to restore the kingdom of Naples to the King of Sicily. It was clear that cases might occur in which the interests of the King of Sicily might be distinct from the restoration of Naples to him. His Majesty's Government was bound, in consequence of the Treaty between the Courts of Vienna and Naples, to secure to his Sicilian Majesty an adequate remuneration for the loss which he would sustain. It was distinctly notified to Austria, to Naples, and to all the other Powers concerned, that the condition on which we agreed to the peace with marshal Murat, was, that an adequate compensation should be afforded to his Sicilian Majesty. He perfectly agreed with the noble earl, that we were bound to follow up the Treaty between Austria and Naples by a peace with the latter power. The question which it would be for their lordships to discuss when the papers should be before them would be, whether there had been that kind of co-operation on the part of marshal Murat which every body must have understood was the condition of the arrangements made by the Allies with him. The noble earl had asserted that the cause of the

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and with the natural sentiments of affection, the engagements into which extraordinary circumstances made her enter.

“It appears to me, therefore, that we may at one and the same time satisfy all our duties, and all our interests, and all our engagements, by an article such as the following:—

“ ‘Europe, united in Congress, recognises his Majesty Ferdinand 4, as King of Naples. All the Powers engage to one another not to favour, nor to support directly or indirectly any pretensions opposite to the rights which appertain to him in this title; but the troops which the Powers foreign to Italy, and the allies of his said Majesty, may march to the support of his cause, cannot traverse Italy.’

“I persuade myself, my lord, that your excellency is sufficiently authorized to subscribe such a clause, and that you have no need of a more special authorization; but if you should think otherwise, I shall request of you to require this authority without delay, as you have been good enough to permit me so to do (ainsi qu'elle a bien voulu me le permettre). “Agree, &c. &c.

(Signed) “Le Prince de Talleyrand.”

Allies had derived great advantage from his co-operation. The papers would, however, show, that persons of very high authority were of a different opinion. Lord William Bentinck (of whose character the noble earl had spoken with such just respect) entertained considerable doubts whether, on a consideration of all the circumstances of the transaction, more good or more evil had resulted from marshal Murat's co-operation; and whether, had the Allies refused to conclude the armistice, they would not have obtained greater advantages in Italy than with his co-operation, so conducted as it had been. If that was the fact, combined with suspicions, and still more, combined with evidence of his treachery, the Allies were unquestionably justified in considering themselves absolved from their engagements. He should be perfectly prepared, on the production of the documents, to defend and justify every part of the transaction on the soundest views of policy and on the strictest principles of justice.

Lord *Grenville* did not know how he could regularly oppose the production of papers, which his Majesty's Secretary of State thought it was fit, both in time and manner, to produce. It appeared to him highly proper to adhere, on such occasions as the present, to the established principles of parliamentary usage; and having been told by the noble earl that we were in actual hostility with the person who was, *de facto*, King of Naples, there could be no doubt that a communication of that fact ought to be made by the Crown, calling upon Parliament for that support, which had never been refused, in a case in which the honour of the Crown, the maintenance of good faith with our Allies, or the just rights and interests of the country were involved. The noble earl had stated that there was no precedent of such a communication on the rupture of an armistice; but there were many such precedents of communication, on the rupture of negociations, of the pacific issue of which much less hope had been entertained than of that of the armistice in question. This was not merely a matter of form. There were few of our forms in which there was not essential substance; and if he were called on to point out one, an adherence to which was more essential to the preservation of the constitutional principles of Parliament than another, he would declare that it was that which, in the present instance, was unreservedly violated. He had witnessed with great concern, and, if he might take the liberty to say so, with much disapprobation, another most essential departure from ancient usage, in the way in which a treaty, not ratified, but of the highest importance, had been laid before Parliament, as the substance of an engagement not concluded, and of the precise stipulations of which, therefore, it was impossible that Parliament could be in possession. For substantial reasons it was the established usage that the engagements of ministers on the question of peace or war, however those ministers were invested with the fullest powers of negociation, were never considered as binding on their respective sovereigns until they had been brought under their immediate view, and had received their ratification. Then, and not till then, ought a treaty to be laid before Parliament. In the present instance, the Treaty had not even been ratified by his royal highness the Prince Regent, but with the accompaniment of an explanatory declaration. The probability was, that this declaration would occasion a counter-declaration, without of course by possibility knowing the nature of which, the Treaty had been laid on the table, and had become subject to the discussion of Parliament. With respect to the papers now moved for, one of two propositions must be true. Either the transactions to which they referred had arrived at a stage which rendered it fit that they should be communicated to Parliament, or they had not. If they had not, the noble earl was leading their lordships into an error in proposing an address for their production. If they had, what could relieve his Majesty's ministers from the sacred duty of advising his royal highness the Prince Regent, on this renewal, or rather on this commencement of a war, to lay before Parliament all the information necessary to enable them to form a judgment on the merits of the case? By assenting to the motion the duties of ministers would be transferred to Parliament, who would take on themselves the responsibility which ought to attach alone to the servants of the Crown: and Parliament would thus relieve the Executive Government from their responsibility, with the inconvenience on their part of not knowing to what exact point to frame their Address, while, if the information were contained in a spontaneous message from the Crown, it would be communicated with the distinct purpose of enabling Parliament to determine how far the conduct of the Power with whom we had commenced war justified hostility on our part. In conclusion, his lordship expressed a hope that the noble earl would withdraw his motion, and, when the proper time came, that he would advise the Crown to lay the papers before Parliament.

Earl *Bathurst* said, it had been asserted, that the Address was moved for the purpose of explaining the grounds of the commencement of hostilities. But that was not the ground of the motion. Ministers had been charged with breach of faith and gross misconduct, and the House was summoned this day to hear that charge made good, or to vote for papers which should prove that charge. It had not been thought proper to make the charge; but his noble friend had deemed it essential to the honour of his Majesty' Government to put the House in possession of those papers, in order to vindicate that honour. The House would understand, therefore, that the papers were not produced to explain the grounds of the commencement of hostilities, but to vindicate the conduct of ministers from the charge of the noble lord opposite. As to the assertion of his noble friend, that it was contrary to all precedent that there should be no communication from the Crown on this subject, he could assure him that there was no instance of a communication from the Crown upon the rupture of an armistice. But then the noble lord had identified an armistice with a negociation, to which it was not at all similar. There never was any formal notification of the existence of an armistice; and negociations were often broken off without any notice being given to the House. With respect to the Treaty of Vienna, it had been moved for by a noble lord, who usually voted with the Opposition, and was not laid upon the table by ministers without the consent of the House. All the objectionable circumstances were known when it was moved, for it was known to be a treaty not ratified, and with a declaration affixed to it; and the House, with the knowledge of all this, had consented to the motion, in consequence of which its substance was laid before them. As to the disrespect which ministers were charged with having shown the House, all they did was to advise the King to produce the substance of the Treaty in consequence of the vote of the House. If it was objectionable to produce the substance of a treaty before its ratification, as he agreed it was, his Majesty's ministers were innocent of the offence.

Lord *Grenville* protested against being considered as a participator in every measure consented to by his Majesty's ministers which he did not directly oppose. He could assure the noble earl, that it was one of many motions, some brought forward by individuals with whom he generally acted, and others introduced by the noble earl and his colleagues, which he did not approve of, although he did not formally object to them. What the noble earl had stated, proved the inconvenience of granting imperfect documents. Ministers ought to know what papers it was proper or improper to grant, since they alone were informed of their contents. If ministers would discharge their duty in making communications from the Crown to the House, the responsibility of producing those papers would fall on them alone: but when they resorted to the inconvenient mode of an address to produce papers, they reserved to themselves the power of saying, such production is not the act of his Majesty's Government, but only the dutiful compliance of ministers with the address of the House.

Earl *Grey* denied, that he had made any long speech, with reference to the war in Italy, which contained charges against his Majesty's ministers. He had stated to the House, on a former night, the existence of a war between the Neapolitans and Austrians. The circumstance appeared to him of such a nature, as called for the early attention of Parliament, and he, therefore, desired an answer from the noble lord opposite, as to the state in which this country was placed with respect to our relations with Naples. The answer of the noble lord was, that the only relation was the existence of an armistice, which, in consequence of events that had recently occurred, would probably be put an end to. Not conceiving this to be a sufficient answer, he alluded to the existence of a treaty, to which he understood this country was pledged, and gave notice, that he would bring the subject under the consideration of the House. In this course, he was determined to persist; but, when he came down to the House this day, he learned that the noble earl intended to grant the papers; and, therefore he did not think it necessary to institute a discussion where the object was conceded. He abstained from discussion, feeling what was so forcibly pressed by his noble friend, that a communication should have been made from the Throne, fully detailing the circumstances of the case. The information he considered very material; but it ought to have been granted in a different manner. The words of the motion were very general; but what he understood was, that Government would produce all the negociations that had taken place between the present King of Naples and our minister, prior to the armistice—the armistice itself—and all communications that had been made after it was agreed to. He thought that the House should also be put in possession of two Reports—the one from general Nugent, the other from lord William Bentinck, and any answers made to the charges contained therein. He conceived it would also be material, that there should be laid before the House any representations made on the conduct of marshal Murat, either by marshal Bellegarde, who was commander of the Austrian forces in Italy, or by sir Robert Wilson, who was our military resident with the army. He was convinced there must have been representations made by those individuals, and, if they were not laid before the House, he should move for them at some future day.

The Earl of *Liverpool* said, that all communications between this Government and that of Naples, respecting the armistice, would be laid before the House. If other documents were wanted, it would be necessary to move for them.

Earl *Grey* said, he mentioned the different documents now, in order to save time. The Reports of general Nugent and lord William Bentinck, as well as the representations of marshal Bellegarde and sir Robert Wilson, ought to be laid on the table.

The Earl of *Liverpool* was not aware of any reports, of the description alluded to, being in his office. If there were any such, Government would feel no wish to withhold them. They would lay before the House every thing they deemed essential; and the noble earl might afterwards, if he pleased, move for any other documents he thought necessary.

Earl *Grey* apprehended, as the duty of a military resident was to send home communications relative to the transactions of a campaign, that it was impossible but sir Robert Wilson had transmitted dispatches on the subject. The papers in the noble lord's office might, therefore, be examined, and extracts made from such of them as related to marshal Murat.

The motion was then put and carried, *nem. con.*

HOUSE OF COMMONS.

Tuesday, May 2.

Militia.] Mr. *Addington* moved for leave to bring in a Bill to amend the laws relating to the Militia. He observed that the alterations he proposed were merely matters of form, and were not at all connected with the present state of public affairs. He should be ready to give any explanation either now or upon a future day after the Bill was brought in.

Lord *Milton* begged to know what was the nature of the amendments.

Mr. *Addington* had no objection to state the substance of the various clauses. The first was to settle a doubt entertained by the law officers of the Crown, whether, under the words of the existing Act, officers who had volunteered into the line could retain their half-pay on the disbanding of their regiments. The second referred to the half-pay of captains, who had also volunteered; and the third was to enable officers who had entered the regular service to receive their half-pay on returning to the militia. A fourth clause regarded courts-martial, empowering commanding officers to summon officers more than ten miles distant, and to allow them travelling expenses. A fifth was to empower Government to call out the Local Militia for a period less than a month; and a sixth to indemnify the counties for retaining their militias embodied beyond the termination of the war.

Lord *Milton* observed, that the last clause was a sort of admission on the part of Government that they were blameable in retaining the militia embodied.

Mr. *Addington* said, that the measure was entirely justifiable by circumstances.

Lord *Stanley* adverted to the expense Government would be put to in collecting officers for courts-martial, some of whom were fifty miles distant from head-quarters.

After a few remarks from Mr. Addington and sir Thomas Acland, leave was given, and the Bill was immediately brought in.

Motion respecting the Negociations with the Government of Naples.] Mr.

Horner wished to address a few words to the noble lord opposite before he proceeded to his motion upon this subject. He had received an intimation that it was not the intention of ministers to oppose the production of the greater and most important part of the papers that would be required. If such were the fact, he submitted that it would be much more consistent with the practice and constitution of Parliament for the documents to be furnished by a message from the throne. It seemed to be at least the most respectful mode of proceeding, on the commencement of a new war with a Power with whom we had before been on terms of amity. But at any rate, if it was the intention of the noble lord to produce all the papers which he (Mr. Horner) thought were necessary, it would be better that the House should be saved the trouble of an unnecessary discussion on the motion for granting them. What he understood the noble lord would grant were, all the communications which had passed between his Majesty's government and the present government of Naples. More than that he could not himself call on the noble lord to produce. If, therefore, the noble lord was prepared to grant all which he was prepared to ask, it would be unnecessary for him to preface his motion with such a detailed statement as would otherwise have been necessary.

Lord *Castlereagh* could not avoid feeling the utmost surprise at what had fallen from the hon. and learned gentleman. He had conceived that those who sat on the other side of the House had long since considered themselves to be in possession of information sufficient to warrant them in charging his Majesty's Government with an unqualified breach of faith. An hon. gentleman who sat opposite had very recently declared in terms the most decided, that he had at length conclusive grounds for ascribing to ministers a breach of faith, and a gross violation of their duty. It was impossible for him to imagine that those who had so long since criminated the proceedings of Government and of our Allies, in the general arrangements adopted for the settlement of Europe, should not now be prepared to support their accusations. He trusted, therefore, that as he had come down to the House in the discharge of his duty to meet the discussion of charges preferred in his absence, the hon. and learned gentleman, with the usual candour and manliness of his character, would not now shrink from pursuing his notice.

Mr. *Horner* believed that, in his own parliamentary experience, such a reception had never been given to any suggestion coming from any quarter of the House, as that which the noble lord had given to the observation he had thought it his duty to submit. The noble lord might enjoy his short-lived triumph; he was no more inclined than that noble lord to shrink from the task of redeeming any pledge which he had once given to the House, although, if the noble lord had done justice to his proposal, he would have admitted the propriety of deferring an inquiry till the papers which he had intended to move for, as preliminary to that purpose, were before the House. The noble lord must have known that he had it in his power to embarrass ministers in that House by referring to papers which had been already laid before the other House of Parliament. (Cries of Order, order!) He wished, however, to take no such advantage; but he did not think the noble lord had treated the House very respectfully in leaving them to discover, by an ambiguous allusion of his own, that we were now engaged in a war, instead of making that communication in the ordinary form by a message from the Crown. He desired, also, to repel, with the indignation that was due to such an insinuation, the idea that he was disposed to shrink from the prosecution of any inquiry he had proposed to institute. He trusted he was as incapable of such conduct on the one hand, as on the other of abstaining from a full confession of his error, if there was any error into which he had been betrayed. The noble lord had been misinformed by his right honourable friends, however, if he understood that any substantive charges had been brought against him in his absence. He, for one, had certainly preferred no such accusation. Questions had certainly been asked, whether the facts were as they were stated to be, and whether published documents, purporting to be the genuine engagements of different powers, were fabricated or authentic instruments? Upon all these points the noble lord's right hon. colleagues and partners in responsibility had left them in the deepest ignorance,—whether from a disposition to withhold information, or because the noble lord had left them in ignorance not less profound, it was not for him to determine. The whole of their conduct, both then and since, was such as impressed him with the irresistible conviction, that the stories so current in Europe had too much foundation, and the questions with regard to Saxony and Genoa gave them an additional colour of probability. If he understood correctly the substance of what had fallen from the noble lord the day before, it was that this country was now committed to hostilities with marshal Murat, and that the present, therefore, was a proper time for entertaining the question which he had given notice of bringing under the consideration of the House. He had previously put two specific questions to the noble lord, each of which, in his opinion, admitted of a direct answer; first, whether any regular or formal treaty had been concluded with the person now ruling the kingdom of Naples, and secondly, if there had been no formal treaty, whether any thing amounting to an honorary engagement had been entered into. The reply of the noble lord was, that he was not prepared to answer either of these questions; and the unavoidable inference was, that his case required explanation. The motion which he should bring forward must undoubtedly be founded on imperfect information; but the object of it was to place the House in a situation in which it might judge with more advantage, by being put in possession of information that should not be imperfect, but as ample and complete as the nature of the case might require. The subject appeared to him, then, to divide itself into three periods: the first consisting of that portion of the last year which was employed in active military operations; the second during the proceedings of Congress; and the third, which included whatever further communications had taken place under the views entertained when marshal Murat first acceded to the common cause, viz. since the commencement of the present spring. If he should fatigue the House by the minuteness to which he must now descend, he begged them to reflect that it was the noble lord who had imposed this necessity upon him. It appeared, then, that on the 11th of Jan. 1814, a treaty was signed between the Crowns of Austria and Naples, but that this was by no means the commencement of intercourse between the two Courts, which had probably subsisted from the period of the battle of Leipsic. This Treaty was signed by two persons on the part of the Court of Vienna, and though there was no accession on our part to it, yet a communication was said to have been made to the Government of Naples, through the Court of Vienna, the substance of which was that Great Britain would be prepared to accede to the Treaty on the same condition under which that Treaty was concluded, viz. the military co-operation of marshal Murat in the common cause. Such, he believed, was the true state of the case. But at any rate, a letter was dispatched to lord William Bentinck from the noble lord, dated Basle, the 22nd of January, 1814, instructing him to proceed to Naples as soon as he should be informed that the Treaty with Austria was concluded, and there arrange a suspension of arms. On the 3d of Feb. an armistice was concluded at Naples, the terms of which were. 1. A suspension of arms. 2. A free commerce during the armistice. 3. That three months notice should be given on either side, if it was intended to break the armistice; and, 4. That a military convention should be concluded between Austria, England, and Naples, to arrange a plan of operations, according to which the respective troops, united in the same cause, were to act in Italy. He had certainly heard this engagement treated by the first minister of the Crown, in a place which it would be irregular for him to name, as a mere act for a temporary suspension of arms. Was it usual, then, in a mere armistice to stipulate for commercial relations, and arrange plans of military co-operation? The engagement entered into by lord William Bentinck appeared to him, whatever construction might be put upon it by others, to be in substance, although not in form, a treaty of peace, and not only a treaty of peace, but a treaty of offensive alliance. It was now very material to see what had been the conduct and proceedings of the Neapolitan Government subsequent to these transactions, in what light they were viewed by marshal Murat, and how far he had acted in adherence and conformity to the stipulations they contained. His own information was, that he immediately advanced his forces, and took up positions that produced a very favourable change in the affairs of the Allies in the north of Italy. In the beginning of January, Eugene Beauharnois, viceroy of Italy, who had an army of 45,000 men, was posted between the Mincio and the Adige, and engaged in offensive operations against general Bellegarde; but, in consequence of the movements of marshal Murat in favour of the Allies, he gave up his offensive movements, and retired on the first week of February, to a new position behind the Mincio. All this took place in pursuance of the Treaty with Austria, and the convention with lord William Bentinck. In this state of affairs it was, indeed, very important for the British Government to consider the necessity of reconciling their new engagements with their former treaties with the King of the two Sicilies. In his own opinion they were not incompatible. On looking at the Treaties with Sicily, he was convinced we were perfectly at liberty to enter into those engagements with marshal Murat. The Treaties were three in number: the first was concluded by sir William Drummond, which was modified by two others, concluded by lord Amherst and lord William Bentinck. In the first Treaty which had been concluded with the King of Sicily, we guaranteed to him his two kingdoms of Naples and Sicily; but in the Treaty concluded by lord William Bentinck in 1812, which superseded the first, there was a most material difference: in the 13th Article of that Treaty, concluded at Palermo, the 12th of September, 1812, it would be seen, that we guaranteed to Ferdinand his kingdom of Sicily alone. We should, therefore, have been justified in entering into those engagements with Murat which had been brought near to a conclusion. Soon after the period to which he had alluded, marshal Murat, from particular circumstances, began to entertain doubts of the faith of the Allies. He had ratified the Treaty on the 5th of February, but he received no ratification from Austria. He complained of this neglect, and inquired whether or no it was the intention of the Austrian Government to fulfil their part of the engagement, as he had done? At last, after long delays, the Austrian Government stated, that it was its intention to fulfil its engagement; but that the English minister, whose assent it was wished at the same time to procure, could not, from certain motives (perhaps from delicacy to King Ferdinand), give his accession immediately; but that in the mean time the Ruler of Naples should receive a letter under the Emperor of Austria's own hand, containing an assurance that the Treaty should be ratified to its utmost extent.—This letter, as well as the ratification, was delayed, till on the 15th of February, information was sent to marshal Bellegarde by Murat, that he would not advance until he received either the letter or the ratification. On the 4th of March the letter was sent without the ratification, but promising the ultimate ratification, with an account of the causes of the delay. In consequence of this assurance marshal Murat immediately put his troops in motion; on the 6th of March he took Reggio, a town of the utmost importance in the wars in that part of Italy. The attack he commanded in person, and on that occasion one of his most experienced generals was severely wounded. It was needless to detail the succession of victories which followed: marshal Murat occupied Parma, Guastalla, Modena, and arrived at the walls of Placentia. Such having been the exertions of the Ruler of Naples in support of the Allies, he was grossly misinformed, if up to this period the faith of Austria, at any rate, was not pledged, and if England was not closely connected with the engagements of Austria. A most important paper had been published, purporting to be a communication from the minister of Murat to the noble lord opposite (lord Castlereagh), in which there was a statement that a verbal assurance had been given by that noble lord to the minister of the Ruler of Naples, that the British Government would accede to the Treaty of Austria with Naples, and that the reason why he could not immediately accede to that Treaty was, that being under engagements to the King of Sicily, from motives of delicacy it was thought proper that the negociations for indemnity to the King of Sicily should proceed hand in hand with our accession to the Treaty with Murat. This was given as the statement of the minister in question; but if the noble lord opposite would wholly deny the existence of any such document, he (Mr. Horner) was bound to believe him; but if the statement was true, he would put it to the House whether we were not as much bound to Naples as if the noble lord had affixed his seal to the Treaty. Another circumstance, respecting which he expected to hear many details from the noble lord, was the landing of lord William Bentinck at Leghorn, a circumstance which would naturally tend to create distrust in the mind of marshal Murat, as that measure was taken without concert or communication with him, notwithstanding the Convention which had been concluded pursuant to the armistice, and notwithstanding that Murat was in possession of great part of Tuscany. Lord William Bentinck also having a division of Sicilian troops in his army, a proclamation was published from the Prince Regent of Sicily on the 14th of March, inviting the Italians to join the independent standard, and asserting the right of King Ferdinand to Naples. Much discussion, and much angry discussion, arose in consequence between the Sovereign of Naples and lord William Bentinck, as to the party which should retain the possession of Tuscany. He knew not whether lord William Bentinck had received instructions which had not been communicated to the noble lord (Castlereagh); but much difference seemed to exist between them, for that noble lord had sent instructions to lord William Bentinck, in consequence of which a communication was made to the Ruler of of Naples at Bologna on the 1st of April, confirming an assurance which had been given verbally to the Neapolitan minister by the noble lord, that on the condition of active and immediate co-operation with the Allies, England would confirm the Treaty, and mentioning motives of delicacy to an ancient Ally as the ground for withholding consent for the present. The sentiments of the noble lord opposite, were conveyed in a dispatch dated Dijon, March 30, stating the impolicy of supporting a distinct and separate interest in the Italian war, and the necessity of unanimity, and of confidence and cordiality towards marshal Murat. In consequence of this dispatch, lord William Bentinck withdrew his opposition to marshal Murat on the subject of Tuscany. The Proclamation of the Prince Regent of Sicily was well calculated to excite distrust in Murat; and this was admitted by the noble lord, in a dispatch dated Dijon, 3d of April, 1814; in which he expressed to lord William Bentinck his surprise and indignation at such a Proclamation, and the impossibility of supporting the rights of the King of Sicily, in contradiction, or to the prejudice of the views of the Allies; and that though England had entered into no absolute engagement with the King of Naples, it had declared its intention so to do, by the conclusion of the armistice, and by the verbal declaration of its minister; and that, if the Court of Palermo persisted in its opposition, his Majesty's ministers would be obliged to conclude an immediate treaty with the Sovereign of Naples. The dispatch was, in fact, a distinct declaration, that his Majesty's Government intended to recognize marshal Murat as King of Naples, and to take common measures with him accordingly. It was notorious that in consequence of these engagements Murat co-operated with Bellegarde, and that the object of that co-operation was to purchase the recognition of his title to the sovereignty of Naples. So faithful indeed was Murat to his engagement of co-operation with Austria, that he rejected a proposition which he (Mr. Horner) understood was made to that ruler by Beauharnois to conclude an armistice, stating that an armistice had also been concluded between France and the Allies. Whether this statement was correct or not, was immaterial to the present purpose; for it was known that Murat referred the proposition to Bellegarde, thus proving his fidelity and the justice of his claim upon those who promised to recognize his title. The evidence of this promise rested upon a variety of facts, all of which were calculated to encourage the reliance of Murat, that the Allies intended to observe a good faith towards him. That the ministers of Austria and England professed so to intend at a particular time, was obvious from several public documents. In the letter of prince Metternich to the noble lord (Castlereagh), dated Troyes, Feb. 15, 1814, that minister dwelt upon the propriety of making a liberal compensation to Ferdinand, king of Sicily, thus admitting the security of Murat's dominion. But a number of circumstances which had transpired with respect to the negociations at Chatillon, left no doubt of the disposition of the Allies towards Murat at that period; for when a proposition was made by Buonaparté's minister to discuss the affairs of Italy, the answer distinctly was, that the title of Murat to Naples could not be questioned, and that to that point no such discussion could apply. But the noble lord was so tenacious with regard to the proceedings at Chatillon, that he probably would decline to favour the House with any explanation upon that subject. However, as the noble lord was not so unwilling to communicate information respecting the negociations at Chaumont, he would not, perhaps, hesitate to admit that to the Treaty concluded on that occasion Murat was invited to accede. Was not this invitation, then, an admission of the title of Murat, or at least an indication on the part of the Allies to recognise that title? But to this recognition the faith of this country was distinctly pledged by the noble lord opposite, and also by lord William Bentinck, in consequence of the proclamation of the Prince Regent of Sicily. It was also material, upon the consideration of this subject, to look to the value and importance of Murat's co-operation in the common cause of the Allies. For at the time that co-operation commenced, it was known that the viceroy, Eugene Beauharnois, had no less than 84,000 men under his command, combining those in garrison with those in field, and that he had in position from the Adige to the Mincio an effective force of 45,000 men; while Bellegarde had only 31,000 effective men in the field, the remainder of the Austrian army being from sickness unable to act. For although the Austrians mustered between 60 and 70,000 men in January, scarcely half that number were fit for action in February, and no less than 10,000 men fell victims to the diseases that prevailed among them. It was therefore evident, that if it were not for the co-operation of Murat the Austrians must have retreated, and that that co-operation was obtained upon a promise to recognize Murat's title to the throne of Naples. These circumstances, then, must be admitted to furnish a *primâ facie* case that called for inquiry. This, he presumed, the noble lord opposite would hardly venture to deny; and he should suppose that the noble lord upon such a case ought, instead of waiting for a motion from that side of the House, to feel it due to the House itself, and to his own character, to have a message brought down from the Crown upon the subject, accompanied by an explanation of all the circumstances connected with such an extraordinary transaction. It was known, not only that the military co-operation of Murat had been obtained under the engagements on our part, which he had already described, but that a proposition was entertained for establishing a commercial intercourse between Naples and this country. He had heard that a proposition was made to Murat to grant him an indemnity for Naples; but nothing of this nature had ever appeared in any paper of which the public had had a glimpse. On the whole, he felt it extremely difficult to imagine what defence the noble lord could make out for the conduct of the British Government towards Murat. It was said that the noble lord proposed to deal in recrimination upon that ruler, by charging him with such a violation of good faith as released our Government from the obligations contracted with him. For the honour of the country, and even for the honour of the noble lord, although he had no acquaintance with him, he declared that he should rejoice to see such a charge substantiated. It would, indeed, be somewhat satisfactory to his mind to find that the conduct of Murat had been such as to justify a suspicion of his purposes, or to absolve us from our engagements; but it would answer no end to show any ambiguity in the demeanour of Murat, which might naturally result from his just suspicion of the designs of the Allies towards him. Nor could any general statement give satisfaction to those who really wished to see our Government vindicated, for not fulfilling its promises to Murat. No; the noble lord, with a view to a satisfactory vindication, must state something specific—he must refer to dates and circumstances, as he (Mr. Horner) had done. The noble lord must also, in order to sustain any recrimination, refer, not to what occurred previous to April 1814, but to something which had taken place since Murat became pledged to the cause of the Allies. The hon. and learned gentleman said, he had heard, that pending the angry discussion between lord William Bentinck and Murat, that Ruler made a proposition to Eugene Beauharnois, which was certainly not in favour of France, although it did not imply co-operation with the allies, namely, that he and the Viceroy should form a junction, and declare for the establishment of the independence of Italy. He had also understood that lord William Bentinck, who did not then appear to enter into the views of the noble lord opposite, had proposed to marshal Bellegarde to unite their forces in order to destroy Murat. All these circumstances called upon the noble lord for explanation; but he hoped that in such explanation the noble lord would, if he entered into the case, favour the House with a statement of time and place, and refer to events posterior and not anterior to the month of April, 1814. It would be for the noble lord to show whether the faith of this country, which he had solemnly pledged, had been kept—whether the promises he had made were redeemed. Let Austria, which had, unfortunately for herself, no parliament to inquire into the proceedings of her Government, answer for her own conduct; but it was incumbent upon the noble lord to justify the part which the British Government had taken in this transaction, chiefly through his agency. It was for the noble lord to show whether in this instance the British Government had acted upon the just and liberal principles professed in the celebrated Declaration of Frankfort—upon those principles which the Allies in their proceedings at Congress, in their views of personal aggrandizement, had so shamefully abandoned. These proceedings, however, would remain for discussion. He did not call upon the noble lord to enter into them at present, or to make any disclosure upon the subject which he might deem inexpedient: but he required from the noble lord an explanation of what notoriously took place with respect to Naples. If the title of Murat were brought into question at Congress, one should suppose that the noble lord was bound, from his special engagements, to resist any proposition upon the subject. He (Mr. Horner) could readily imagine that there were persons at the Congress very willing to question the title of Murat, and to promote his removal; Talleyrand, for instance, with any other representative of the Bourbon family, might naturally be supposed to possess that wish; but then as France was not, he fancied, the predominant power in that assembly, he should have thought that the noble lord and prince Metternich, who were tied hand and foot in their obligations to Murat, would have been forward to withstand the wish of the French minister. A document, however, had made its way to the public, which furnished something directly contradictory to this natural supposition. That document, which purported to be a letter addressed by Talleyrand to the noble lord, was really of such a nature, that he could assure the noble lord he could not persuade himself to believe it genuine, from the base fraud it proposed, until the noble lord's own conduct, when questioned in that House upon the subject, removed all doubt from his mind. From this letter it would seem, that the noble lord himself had originated a proposition for removing Murat from the throne of Naples. Such, indeed, was the clear inference from the outset and conclusion of that letter, which distinctly referred to the invitation of the noble lord to the writer to consider of the expediency and practicability of disposing of Murat. Of the general character of Talleyrand, who for twenty years had had such ample opportunities of studying all the diplomacy of despotism and duplicity, he (Mr. Horner) did not wish to state his opinion, lest he should hurt the feelings of the noble lord by any censure upon his lordship's new ally; but he had no hesitation to say that this letter, in the expedients it suggested for attacking Naples, and evading the pledge by which Austria guaranteed the throne of that kingdom to Murat, together with the preservation of the peace of Italy, betrayed a character pregnant with such perfidy and baseness as the vilest wretch in society could scarcely parallel—[cries of Hear, hear!]. He (Mr. Horner) anxiously hoped that the noble lord would be able to repel the idea of having in any degree sanctioned such expedients, or been a party to the origination of the proposal which gave rise to this extraordinary letter. He also hoped the noble lord would be able to give some satisfactory explanation why the execution of the engagements entered into with Murat on the part of this country had been so long delayed? why the promises solemnly made to that ruler above twelve months ago had never been fulfilled? Murat had frequently pressed for the fulfilment of those promises, as appeared from the publication of some documents addressed to the noble lord by the agents of that ruler. Possibly it was intended that the execution of the engagements to Murat should go on, *pari passu*, with the settlement of an indemnity for the King of Sicily, but the House would hear what the noble lord had to say upon the subject, especially as to the proposition of Murat not long since to co-operate with the Allies, and to conclude a treaty for that purpose on the recognition of his title to the throne of Naples. He understood that this proposition of a treaty was made to his Majesty's ministers some time before the noble lord's return from Congress, and that the consideration of it was waved until the noble lord's return. The hon. and learned gentleman begged it to be understood, that he was not disposed to panegyrize Murat, or to place any reliance upon his promises, unless where he had a clear and indisputable interest in observing them; but that it was Murat's interest to adhere to a treaty with this country; if his title to the throne of Naples were recognised, there could be no doubt whatever. Such a treaty, then, Murat offered to conclude. Nay, farther, he proposed a commercial treaty upon the most favourable terms, offering to place our shipping which might trade with Naples on the footing of the most favoured nations, and to admit the principal articles of our manufacture, namely woollens and cottons, into all Neapolitan ports, upon the payment of a trifling duty. Was it not, he would ask, the obvious policy of this country to accede to such a proposition? But what was the conduct of ministers?—why, they referred the proposition to Congress, refusing to give the Neapolitan minister any answer upon the subject. He really could not divine the motives which suggested such a proceeding. That the discussion of a specific treaty between this country and another state upon a commercial question, should be referred to Congress,—that such a question should be left to the adjustment of foreign powers,—appeared to him a measure without precedent or policy. The proposition, however, of the Neapolitan minister was rejected by his Majesty's ministers without any consideration. But those ministers themselves seemed to feel the impolicy of their conduct, and therefore they proposed to negociate with the Neapolitan minister upon the subject of his proposition. When, however, was this feeling manifested? Why, on the very day that intelligence was received of the advance of Murat's army to Bologna! Then, truly, ministers expressed a disposition to avail themselves of the opportunity offered to them, and which they most imprudently threw away, of securing the co-operation of Murat in the cause of the Allies, and of obtaining important commercial benefits for their country. It would not be fair to attack his Majesty's Government on the ground of the immense advantages they had lost at present, as it was impossible for them to foresee the new posture of affairs; but from the state of things in the beginning of the present year, it was most impolitic in them to reject an alliance with the reigning Government of Naples. The truest policy would have been to unite the whole of Italy under one great military power; this would have been the best possible arrangement, both against the projects of France and all other nations. Under existing circumstances, while the north of Italy was subject to the control of Austria, and the south was under a great military power, the true policy of this country was to secure the friendship of that Power: this country would then have possessed more influence over Italy than by any other measures that he could mention. The policy of this country, he repeated, would have been to maintain the independence of Genoa, and to secure the alliance of Murat; but it was the policy of Talleyrand to alienate England from Naples. Wishing, however, to relieve the House from any farther observations, he would state distinctly the grounds on which he intended to move for inquiry: first, that it was necessary to be shown, that the good faith of the country had not been sacrificed; secondly, that it was proper to see that the policy of securing an alliance with the reigning Government of Naples had not been neglected; and thirdly, that ministers should inform the House what were the true grounds and cause of war between this country and Naples. The only ground of war that he could conceive, was one that had not yet taken place, namely, under the Treaty of the 25th of March. He asked the noble lord to explain, independent of the question of an armistice, how, until that Treaty had been ratified, we could be considered as parties with Austria in the war? Until that period, it could only be a war on the part of Austria. Such were the grounds of his inquiry; and he should conclude with moving,

" That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions, that there be laid before this House, an account of the negociations between his Majesty's Government and the government of Naples, with a view to the conclusion of an armistice and a military co-operation in the war against France in the course of the last year, and also of such communications as have since taken place relative to the acknowledgment of the present ruler of Naples prior to the commencement of hostilities between that government and Austria."

Lord *Castlereagh* began by stating, that the House would naturally suppose that he must feel anxious to enter into explanations upon the question then before them; and hence he had pressed upon the hon. member to fulfil the notice which he had given, and to open the matter according to the view of it which prevailed in his mind. The hon. member had accepted his challenge, and had certainly argued the question with that fairness, ability, and manliness, which always characterised him. He had put it upon its fair and proper footing, and the House would therefore be enabled to exercise a sound and effective judgment on all the circumstances connected with it; and it would certainly be necessary for them, as the hon. gentleman had observed, to examine with patient minuteness the dates of the facts stated, because upon those dates the reasons deduced were founded. He should not now enter into the discussion of some of the collateral topics brought forward by the hon. gentleman, but would enter at once upon that branch of the question which involved its immediate interest and importance. He was sure the House would do him the justice to recollect, that whenever the question was incidentally agitated, he had uniformly avowed that he should not rest his defence upon the mere technical distinction as to whether the engagements entered into with Murat were to be found in the words of an official dispatch, or whether they existed in the stipulations of a ratified treaty. In the very outset he again begged leave to affirm, that his explanations would not rest upon any such distinctions. He agreed also, with the hon. member, that the question naturally divided itself into two considerations—first, as to what might be the obligations of good faith from this country to the Government of Naples; and, secondly, supposing all claims of good faith and honour to be dissolved, as in fact they were, whether it was expedient to adopt that course towards Murat which it might be supposed had precipitated him into hostilities. The hon. member had stated, and truly stated, that the basis of the transactions between Murat and the British Government was laid in an instruction of his (lord Castlereagh) to lord William Bentinck, dated Basle, January the 22d, 1814. That instruction was issued in consequence of the Treaty of Peace and Alliance concluded between Austria and Murat, and directed that upon the faith of that Treaty hostilities should be suspended between this country and Naples. Before, however, the order reached lord William Bentinck, a person authorized by him, had concluded an armistice with the Neapolitan Government on the 3d of February, 1814, being that instrument on which the hon. gentleman had argued in the course of his speech. He should now proceed to the next step in those transactions, and read to the House an extract of a letter, which he apprehended would enable him to place the question on that ground on which he should most successfully argue it. The letter was dated Chatillon, Feb. 21, 1814, and addressed to lord William Bentinck. The substance of this extract was "that the British Government had never liked the measure of a peace between Austria and Naples; but the engagement being concluded, Great Britain had entered into it upon two conditions—first, that Murat should honourably and effectively exert himself in co-operation with the Allies against the common enemy; and, secondly, that an indemnity (for it could not be called an equivalent) should be provided for the King of Sicily." It would be recollected that when the Peace of Paris was under the consideration of that House, an hon. member had adverted in strong terms, and very naturally, in his (lord Castlereagh's) opinion, to the apparent abandonment of the interests of the King of Sicily by this Government: but in point of fact, our engagements with Sicily extended no farther than to the protection of Sicily, and nothing in the shape of a *sine quâ non* entered into them, that Naples should be recovered for her. In short, from the situation of the continent at the time when those engagements were contracted, nothing could appear more improbable than that Naples could be restored to the King of Sicily; and there was no obligation of good faith, no obligation of honour on the part of this country, which could induce the Government to put such an object in competition with what the general security of Europe required. In the month of August last, the Government of Austria, naturally anxious to strengthen her interests in Italy, and secure her possessions there free from danger, entered into negociations with Murat; and at that time his Majesty's Government concurred in those negociations upon the basis, not that Murat was to retain Naples, but that he was to receive an equivalent elsewhere. Towards the month of October, however, it appeared that any such arrangement was entirely out of the question, for that Murat would listen to nothing of the kind: and it was then agreed upon, that he should retain Naples, and the Sicilian family receive indemnities. The grounds upon which that was done was because it appeared inexpedient to place at hazard the general interests of Europe, in order to pursue the attainment of remote and uncertain objects.—With regard to the conduct of his Majesty's Government on this occasion, he had no hesitation in stating, that it most reluctantly became a party to those transactions; but, at the same time, as Austria found it necessary to conclude an alliance with Murat, it assented to the general principle, with the two same conditions which had before been insisted on by this country. Those conditions being thus carefully stipulated for, it remained to be seen whether the co-operation of Murat with the Confederated Powers was of that description which entitled him to the execution of those assurances which had been made. The hon. member, in the course of his speech, alluded to what he called a misunderstanding between lord William Bentinck and Murat; but he should have the satisfaction of reading to the House a short extract, which would show that it was not a misunderstanding merely, but a deliberate judgment on the part of lord William Bentinck respecting the conduct of Murat, because that conduct was not consistent with those conditions which recognised him as Sovereign of Naples. At the same time, he would take upon himself to say there was nothing in the conduct towards Murat, with one exception, which could throw the slightest cloud over his confidence in that Government. The Treaty, indeed, was not formally ratified and exchanged, because, the Emperor of Austria being then in the field, it was not practicable to do so; but it was accompanied with an autographical letter from the Emperor to Murat, stating his approbation of the terms of the Treaty, his intention to maintain them, and his hope that Murat would consider that personal recognition of his Imperial Majesty equally as conclusive as if the Treaty were regularly ratified. Murat, as might be expected, signified his perfect reliance upon the assurances of his Imperial Majesty, thus flatteringly communicated to him. Now, the only exception to the general scope and intent of the Treaty, was one which had for its object to defeat a purpose which was then suspected, and had since proved to be at the bottom of his heart, namely, by limiting and fixing his possessions within the marches of Ancona, so as to prevent him from extending them to the boundary of the Po. Lord William Bentinck communicated to marshal Bellegarde what his opinion was how Murat had executed his part of the engagement. He evidently meant to qualify the conduct of the British Government, and said, that they did not know the conduct of Murat, when that authority was transmitted. On the 25th of March, long after the Treaty had been ratified, and when Murat might have destroyed those unfavourable opinions which lord William Bentinck had formed, that noble lord made use of the following language: "It is now necessary to consider the conduct of Murat. Has he fulfilled his engagements with Austria? Has he not acted rather as a friend to Buonaparté? Was it not the policy of a deserter to throw his whole force into the scale? He could expect no favour from Buonaparté: but is it not the language of all his officers, that Italy should be united, and that he should be the head? Finally, is there any man in Italy, or in the Austrian army south of the Po, who has any confidence in him? He is only waiting to place himself on the strongest side."

Such, continued the noble lord, was the opinion entertained by lord William Bentinck, of the conduct and intentions of Murat, and it must be allowed that he had opportunities of closely observing him. At the same time, when that communication of the 25th of March reached him, he certainly did endeavour to argue down all the suspicions it contained, not because he considered them as wholly unfounded, but because he thought it probable lord William Bentick might entertain some honourable prejudices in favour of the Court of Sicily, which would, perhaps, lead him to scrutinize with anxious severity the proceedings of Murat; and because he thought, that if relations of peace were to be maintained with Murat, and his co-operation secured, they could only be effected, with such a man, by testifying an excess of confidence; in short, by showing much more confidence than was felt. The strong impression upon his mind, however, and upon the minds of others with whom he communicated, certainly was, that the conduct of Murat was not such as the Allies were entitled to expect; but, on the other hand, it was at that time no more than mere matter of opinion; and if the question as to the engagements between this country and Naples had rested simply on that opinion, however strong or probable, he, for one, should not have considered it as a justifiable motive for suspending the fulfilment of the conditions. He had an opportunity, however, while at Paris, of communicating with a person, whom he could not with propriety name, from whom he received information which produced on his mind a complete moral conviction, that Murathad not honourably performed his engagements towards the Allies. The communication was derived from a quarter which could leave no doubt as to its authenticity; and he then distinctly avowed, on the part of his Majesty's Government, that if it satisfactorily appeared that those engagements were not fulfilled by Murat, he should consider the engagements between this country and Naples as dissolved. In pursuance of this declaration, he took the earliest opportunity after his arrival in this country, to make a similar communication to the Neapolitan minister accredited here, and he stated the same to the duke of Campochiaro at Vienna, observing, in consequence of the moral certainty which existed as to the non-fulfilment of the stipulated conditions by Murat, that the question with respect to Naples still remained free and open, to be discussed upon its own individual merits in Congress. The noble lord here read an extract of a letter which he sent home from Vienna, dated January 25th, 1815, in which he stated that "he transmitted, for the consideration of Government, a note delivered to him by the duke of Campochiaro, and observed, that he had, upon two different occasions, most explicitly declared, that, in the opinion of the British Government, Murat had not fulfilled the conditions of the Treaty, and that therefore Congress was free to act upon the question of Naples according to what the general policy and interests of Europe might seem to require." He was not prepared to say what line of policy would have been adopted by Congress, or what it would be most expedient to adopt, for it appeared to all the plenipotentiaries assembled at Vienna as a most difficult and intricate question; and the only point upon which they did agree was, that it ought to be the last, instead of the first subject, on which the Congress should be called upon to pronounce. In fact, down to the period at which hostilities commenced between Austria and Naples, no act of Congress had been concluded upon that question. The views of the British Government in respect to Naples, and its conviction that it was free as to its future proceedings, in consequence of the conduct of Murat, were not made any secret of: they had been frankly avowed to the ministers of Murat, and of course were not withheld from the ministers of the other Powers of Europe. Prince Talleyrand in particular pressed him to declare what were the ultimate intentions of his Majesty's Government; but he could not possibly anticipate any future decision upon a question that was suspended for a remote consideration, though at the same time he requested prince Talleyrand to communicate the propositions which he intended to submit, that he (lord Castlereagh) might have time to transmit it for the consideration of his Majesty's Government, and receive their answer before Congress was called upon to pronounce upon the question itself. That was the course of negociation which led to the production of prince Talleyrand's letter. When he (lord Castlereagh) stated to the duke of Campochiaro, that the British Government considered its engagements with Murat dissolved, in consequence of his conduct, the duke submitted to him (lord Castlereagh) an extended review of what had been the whole course of his master's proceedings, politically and morally, from the time of the battle of Leipzic, down to the period at which that instrument was delivered. The House would be put in possession of that document among others. It certainly did not shake his conviction of the insincerity of Murat; but at the same time he thought it wise and prudent, in a matter of so much delicacy and importance, not to rest merely upon his own opinion, but to fortify and confirm it, if possible, by that of individuals who were well qualified to pronounce upon the accuracy of the historical narrative in question. He, therefore, submitted it to the examination of general Nugent, an officer of the highest credit, of the most unblemished honour, and possessing that sort of mind which enabled him to state, not only a general but a reasonable opinion. The House were aware that general Nugent had acted with Murat in the campaign of Italy, after the Treaty between Naples and Austria. He did accordingly make a detailed report upon the document, paragraph by paragraph (which would also be communicated to the House), in which he not only denied the facts as stated by the duke of Campochiaro, but also controverted all his conclusions. He affirmed that Murat not merely maintained a degree of military inactivity, but by a skilful management of his troops, contrived to defeat the very objects for which his co-operation was required in order to secure their success. In addition to that information, he had also sent the narrative to lord William Bentinck, who likewise returned a very detailed report upon it (which would be among the papers communicated to the House), in which he contended that Murat had totally neglected to fulfil his engagements to the Allies, and had, instead, played falsely with all parties, endeavouring to keep the balance suspended in his own hands till he could determine on which side he could most safely incline it. The House would have, in those documents, the judgment of two distinguished and experienced officers, not upon insulated topics, but upon the whole scope and the general operations of the campaign in which they so largely participated. Prince Talleyrand also told him that he had the clearest proofs that long after Murat had been negociating with the Allies, he was also in direct negociation with Buonaparté for the possession of Italy south of the Po. It was true that Buonaparté, not then thinking so humbly of his fortune, treated his proposal with the utmost contempt, and talked of Murat as a madman and a fool. It appeared that even in the month of February last year, the queen of Naples was in direct communication with Buonaparté, and made proposals to him on the part of her husband. As to the merit that was claimed for his not joining the viceroy, the fact was, that he could not join him, as their pretensions were incompatible. He in fact claimed about half of his vice-royalty. The House would now see the cruel situation in which ministers had been placed. They had been reviled in every corner of the country for supposed breaches of faith, which the gentlemen on the other side so confidently charged them with. He trusted that he had been able to collect sufficient documents to prove to the House and the country, that there had been no breach of faith on the part of the British Government. He admitted that the hon. gentleman had fairly and properly, this night, said that the case was a *primâ facie* one, and called for some answer or inquiry. He thought, however, that any man who had the least value for the honour and character of his country, or the government under which he lived, should, even if there was a *primâ facie* case of breach of faith, suppose that the Government would be able to give it an answer, and justify their conduct. Ministers, however, had been most violently attacked by other gentlemen in that House, upon some loose documents that had got into their hands, and before the time had arrived when they could go into their justification. As he had wished to get possession of what documents he could find respecting the conduct of Murat, he intreated prince Talleyrand to have a search made in the public bureaus of Paris. A diligent search had been made, and very important documents had been found. He should now read to the House extracts of the correspondence which had been found, that passed at that time between the princess Borghese, Buonaparté, and the King and Queen of Naples. He should also read extracts to prove the opinion of the French constituted authorities on his conduct. From the first letter, which was from the princess Borghese to Buonaparté, dated Lucca, February, 14th, 1814, he read the following extract: " The King of Naples is in a state of great agitation. He is astonished that the Viceroy should have retired from the Adige, and that I have quitted Tuscany, upon the notion that he could be the enemy of your Majesty and of France. He loudly expresses his devotion and his gratitude for your person, and he even said to the Tuscan deputies, that he would prefer receiving the first blow, to drawing his sword against a Frenchman. I know not how to reconcile this language, of which I do not suspect the sincerity, with all the arbitrary measures which have endangered my authority, and those which oblige me even now to provide for the safety of the French troops assembled at Pisa. Your Majesty will appreciate these contradictions, which seem to me to proceed from a resolution, deemed by the King, conformable to his interests, but into which he has been dragged contrary to his own affections. I am assured that the language and conduct of the King are similar in his communications with the Viceroy. It is nevertheless, certain, that a Proclamation of general Bellegarde's, which recalls the nations of Italy to their former state, has been reprinted at Bologna under the eyes of the King. This Proclamation, drawn up with much art, has produced the greatest effect in Tuscany, where it is extensively circulated." The second letter which he should read, was from Buonaparté to the Queen of Naples, and was dated Nangis, the 17th of February. At the time this letter was written, Buonaparté did not despair of his fortune, and treated Murat in the style of a master. This letter contained the following expressions: "Your husband is a very brave man in the field of battle, but he is more cowardly than a woman or a monk when not in the presence of the enemy. He has no moral courage. He has been frightened, and he has not hazarded losing for a moment that which he cannot hold but by me and with me. Make him fully sensible of his absurdity. When he quitted the army without my order, I foresaw all the evil counsels which would be given him. I am, however, better satisfied with the message he has sent me through you. If he be sincerely sorry, let him watch the moment for proving to me that he has not been so ungrateful as he is pusillanimous. I may yet pardon him the injury he has done me." He should next read an extract from a letter from Fouché to Buonaparté, dated Lucca, February 18. This letter recounted the difficulties he had experienced in attempting to correspond with Murat. He says, "I set out for Bologna, where the King of Naples was. I experienced no difficulty as far as Florence; but upon my arrival in that town, the new authorities signified to me that I could neither continue my route, nor remain at Florence, and that I must go back as far as Prato, there to await the answer of the King. I dispatched a courier to that prince, and am returned to Lucca, where I am in greater safety than at Prato, which is in a state of insurrection. I know not what the King will be allowed to answer. The Austrian and English ministers reproach him with being *French*, and particularly with being too much attached to your Majesty. The revolutionists who govern Florence just now assert loudly that the King of Naples has an understanding with the French, and that he deceives the Italians. They attribute to my counsels the inaction of the Neapolitan troops which the Allies wished should march against the Viceroy at the moment when he was about being attacked by general Bellegarde. The King is sick with grief. He now thoroughly feels in what a situation he is placed. It is difficult for me to make my advice reach him. If there were as much firmness in his character as good qualities in his heart, he would be stronger in Italy than the coalition." The noble lord then read an extract of a letter from Eugene Beauharnois to Buonaparté, dated the 20th of February: "The King of Naples," he writes, "who appeared inclined to march against us, and to yield to the solicitations of the Austrians, paused as soon as he became acquainted with your Majesty's late victories of the 10th, 11th, and 12th. He had not yet received the ratification of his Treaty the evening before last. I therefore hope that he will not add to the wrongs of which he has been guilty towards your Majesty, by firing upon your troops." He next read the following letter from the French consul at Ancona, which was without date, but was certainly written about the same time; most probably from Lucca: "The consul had occasion to see the King of Naples on account of his passports. The following is the substance of the conversation he had with him:—Necessity alone, said the King, has obliged me to unite with the Allies; the great extent of the coasts of my kingdom exposed them to the invasion of the English. Their maritime strength, and their force in Italy, are well known. Who would have defended my kingdom, had I carried my army beyond the Po? besides, it would have been impossible for me to make it leave the kingdom. On the other hand, my people were discontented in consequence of the stagnation of commerce, which prevented them from realising the productions of the soil; it would have been easy for the enemy to have reduced them, to the sole detriment of myself and of France. On the other hand, my nation would have been dissatisfied had I not acceded to the proposals which the Allies made me, of indemnifying myself for Sicily by the countries on this side the Po, which his majesty the Emperor of the French was obliged to renounce by the force of circumstances. He added, that his intentions were so much the purer on this head, as it was agreed that his army was never to fight against the French: he would recollect constantly that he was himself a Frenchman, and that he would not forget all he owed to his illustrious brother-in-law. He desired the consul to remain at Ancona, and to continue his functions, assuring him that his correspondence should be free, since he was not at war with France. The consul did not think that it was for him to make any objection. On their arrival at Ancona, the Neapolitan authorities had all the Italian arms taken down. The arms of France, placed at the consul's house, were respected." The next letter which he had to read was a very curious document; it was a letter from Buonaparté to Murat, giving him an account of his successes over the Austrians on the 10th, 11th, and 12th, of February, and threatening him with the effects of his displeasure if he did not change his conduct. He, however, addressed him with some degree of courtesy, in still giving him the title of a king. This curious instrument began in this manner—"Sire, my brother; I say nothing to you of my displeasure at your conduct, which has been diametrically opposite to your duty. That, however, belongs to the weakness of your nature. You are a good soldier on the field of battle, but, excepting there, you have no vigour, and no character. Take advantage of an act of treachery which I only attribute to fear, in order to serve me by good intelligence. I rely upon you, upon your contrition, upon your promises. If it were otherwise, recollect that you would have to repent it. I suppose that you are not one of those who imagine that the Lion is dead, and that he may be—(The rest of the sentence, lord Castlereagh said, he would read in the original)—*et qu'on peut lui pisser dessus.* If such are your calculations, they are false. I defeated the Austrians yesterday, and I am in pursuit of the remnants of their columns. Another such victory, and you will see that my affairs are not so desperate as you have been led to believe. You have done me all the harm you could since your departure from Wilna, but we shall say no more about it. The title of king has turned your brain. If you wish to preserve it, behave well, and keep your word." Another letter from Buonaparté, dated March 5, addressed to Murat, runs thus: "I have already communicated to you my opinion of your conduct. Your situation had set you beside yourself; my reverses have completely turned your brain. You have called around you men who hate France, and who desire to ruin you. I formerly gave you useful warnings. What you write to me is at variance with your actions. I shall however see by your manner of acting at Ancona, if your heart is still French, and if it is to necessity alone that you yield. I write to my war minister, in order to set him at ease with regard to your conduct. Recollect that your kingdom, which has cost so much blood and trouble to France, is yours only for the benefit of those who gave it you. It is needless to send me an answer unless you have something important to communicate. Remember that I made you a king solely for the interest of my system. Do not deceive yourself. If you should cease to be a Frenchman, you would be nothing to me. Continue to correspond with the Viceroy, taking care that your letters be not intercepted." Such was the sort of ally which the Coalition had gained in Murat! The noble lord proceeded to enlarge on his perfidy, and stated that in one instance when a French corps was shut up in Reggio, and surrounded by the Allies, Murat so disposed of his force as to give them an opportunity of making their escape. His conduct had in every respect been perfectly consistent with the base policy on which it was proved he had acted. The noble lord said, he began now to apprehend that the old charge against ministers would be likely to be renewed, and that they would be accused of having been too negligent of the interests of the King of Sicily. Sicily had the same claims on us that she always had. We were bound to do all the good we could for her, compatible with the general interests of Europe. Had Murat been faithful to his engagements, like a man of spirit and honour, he would have been supported by the Allies. His perfidy threw Sicily into the same situation in which she had formerly stood. Had Murat's conduct been different, the question respecting Naples would never have been pressed as it had been by the French Government; that question had been pressed—honourably pressed—to the utmost, and that Government, in the actual state of things, would never have been a party to any arrangement which went to establish Murat on the throne of Naples. Buonaparté left Elba on the 22d of February; intelligence of this reached Naples on the 4th or 5th of March. On this Murat called his cabinet together, and declared his resolution of adhering to the Allies. A communication to this effect was received in this country on the 18th; and, notwithstanding the former conduct of the man, the English government had not decided in what way this should be treated, but had immediately transmitted it to Vienna. Of this proceeding, the person representing him in this country had been distinctly informed. Two days after the time at which Buonaparté left

Elba, the ministers of Murat presented a note to the Congress at Vienna, complaining of the hostile views entertained by France against Naples, and demanding categorically to be permitted to march an army of 80,000 men through the Austrian possessions, in order to call France to an account for her conduct. In this there was a singular coincidence, as Murat for a considerable time had been raising an armament by very severe measures, much exceeding the resources of his states, and at this remarkable period wished to employ them where it was impossible he could suppose there was any danger. It was certain that he had some illegitimate object in view; and in consequence of this note the Austrian Government informed him, that no power would be suffered to march an army through their dominions; and it was added, that a note to this effect would be given to France, should a similar demand be made on her part. Before the reply to the communication made to this country of the determination of Murat to be faithful to the Allies could be received in Naples from this country or from Vienna, Murat proceeded to the head-quarters of his army, on receiving intelligence that Buonaparté had been joined by the army and by Ney. Here he resumed the title of Napoleon, which before had been added to his name, but which he had laid down on joining the Allies. Was this to assure England and her Allies of his friendship? The proclamations of Buonaparté he published in French and in Italian: he advanced in a hostile manner through Florence and the Papal States; he drove the Austrian outposts before him, and issued a proclamation to the inhabitants of the several states through which he passed, calling upon them to rise against their legitimate governments. Was this done to show his friendship for England, who he knew would not be separated from her Allies? No;—the language held by him respecting this country, like the civilities which he had shown to the English in Naples, were only intended to induce a belief in Italy that his present proceedings had the countenance of England. It was said, that the armistice concluded with him was not to be broken without three months notice; but this arrangement, made in the contemplation of a state of peace and alliance, was not to tie up the hands of this country when an act of aggression took place on the part of Murat. If this construction were to be put upon it, such an armistice would be better for him than a definitive treaty of peace. It was impossible that any thing so absurd and so contemptible could be imagined. Could it be thought that he would either deceive himself or the world by representing this country as likely to be held by such a cobweb?

The noble lord said, he had now repelled those charges which had been so unadvisedly, and he would say, so unfairly brought forward at a time when they could not be answered. To repel them was a duty which he owed, not so much to himself, as to the honour of the country. For the time to come, he thought it was not too much to hope that the gentlemen opposite would have sufficient charity not to assume that the good faith of the country had been sported with till the period arrived at which explanation could be offered without injury to the public service. He trusted what had passed this night would give the opponents of Government a salutary lesson, and that they would not in future be so ready to bring forward complaints on partial statements like those contained in the documents recently published, which he knew, for the most part, not to have been derived directly or circuitously from an official source. They must have been furnished by the agents of other countries, who were desirous of putting forth statements in this way which they feared to avow in the face of Europe. He conceived these to furnish very bad grounds for any parliamentary proceeding; and if gentlemen kept their ears open to such representations, and on these did that which must lessen the country in the estimation of the world, they would do the greatest possible injury to the public service. It was not too much to hope, that they would give credit to the Government for not having sacrificed their duty till they could with propriety explain their conduct. Where a question arose, while a doubt remained, the presumption ought not to be in favour of the enemy, but in favour of their own country. Feeling this as he did, he trusted the feeling would not be confined to himself, and that the hon. gentleman opposite would for the future be more cautious how he committed himself to an opinion favourable to the enemies of his country.

Mr. *Whitbread* said, he did not mean to enter into the case at length that night, as a more fit opportunity would be afforded after the production of the papers; but in his view it did not seem clear, from the statement of the noble lord, that he alone was the government of the nation, that he alone was the whole empire, and consequently, that he alone was to determine the future fate of the country; nor was it more satisfactorily proved that all those who argued that the noble lord had grossly misconducted the affairs of the nation, were not Englishmen and the real friends of their country. It was not at all proved, in the opinion of Mr. Whitbread, that the noble lord was blameless in those transactions; he must have been blind indeed, if he did not perceive the system upon which the King of Naples was acting from the beginning. Buonaparté and the Allies were agreed on this point, that he was a most excellent general in the field, but treacherous and pusillanimous in the council; the whole statement of the noble lord displayed a scene of diplomatic treachery, that he hoped would ever remain without a parallel; and the noble lord must indeed have been a puny politician, if he ever conceived that Murat was guided by any other views than those of self-interest, and self-preservation. Why had he vacillated from Buonaparté to the Allies, and from the Allies to Buonaparté—but from his anxiety to ascertain which was likely to be successful? Most of the documents on which the noble lord had rested his defence, were probably written during this period of hesitation; and when the King of Naples found that Buonaparté could not support him, he threw himself into the arms of the Allies. It was, however, a serious question for the noble lord to consider, whether he had not injured the cause of the country by refusing to ratify the verbal understanding that prevailed between the Allies and Murat. That ratification might have bound him firmly to our cause, instead of having him leagued against us. The defence hung upon the first intelligence the noble lord received at Paris from prince Talleyrand regarding the treachery of Murat: it was only a matter of suspicion. And why did not the noble lord refer to marshal Bellegarde, who could have given positive and decisive information? Why had not this question been put to him—Whether, without the co-operation of the King of Naples, he could have been successful in Italy? After adverting to what had passed last year, regarding our engagements with the King of the Two Sicilies, Mr. Whitbread remarked upon the state of suspense in which Murat had been kept, by having no treaty on which he could depend, and upon the necessity there was on his part to take some step for his own security. He lamented that the noble lord had thought fit to quit Congrees, before he had given his powerful aid in solving this most complex problem. At present, it did not appear to him that the justification of the noble lord was at all complete.

Mr. *Ponsonby* said, he would not discuss the documents until they were regularly laid upon the table; but he could not help observing upon the most vain hope expressed by the noble lord, that the proceeding of this night would afford any lesson to the side of the House usually opposed to ministers. Nothing that had fallen, or was likely to fall, from the noble lord, could afford any instruction, or give any useful advice to his political antagonists. His principal object in rising was to vindicate himself and his friends from an aspersion cast upon them by the noble lord, who asserted that they had circuitously and clandestinely received information from the agents of foreign governments, of which they had availed themselves, to make accusations against ministers. This was a most serious charge. The noble lord must know that it was so:—but it was utterly false; neither he nor any one of his friends, he was convinced, would have any communication with the agents of any foreign power to the prejudice of this country, and it was a base insinuation on the part of the noble lord to intimate that they would. The noble lord had been extremely uncandid towards his hon. and learned friend who made the present motion, in assuming that the scope of his argument was in favour of the independence of Italy. He had treated the idea as romantic; as that which, if possible, might be wished for, but as that which no man could hope or expect to see accomplished. If Murat had broken his faith with this country, he admitted we were released from the observance of our engagements with him, but the failure on his part had not yet been established.

Lord *Castlereagh* explained as to the misrepresentations with which he had been charged. As to the remarks he had felt it his duty to make upon the incomplete information produced by gentlemen on the other side, his lordship wished to know whether the right hon. gentleman meant to persist in applying to them the epithets 'false and base?'

Mr. *Ponsonby*. The noble lord has asserted, that we received information directly or circuitously from the agents of foreign Powers, which we unworthily applied in this House. If the noble lord persists in that charge, I must deny that we have received any such intelligence. I must assert that there is no truth in the assertion; that the insinuation, as I before said, was base: and that on this side of the House we are incapable of such conduct. I must repel the charge in those words; but if I have mistaken the noble lord, I should be sorry undeservedly to employ such terms.

Lord *Castlereagh*. Does the right hon. gentleman mean to say that the information was not derived from the agents of Murat? I have no difficulty in stating undisguisedly, that I did understand that a direct communication had taken place from Genoa to an hon. member on the other side of the House, and that in consequence of the information procured, steps had been taken in this House by that hon. member.

Mr. *Whitbread* said, that he was happy to assure the House that such a charge was perfectly ridiculous. Certain documents had appeared in the public prints, and some animadversions were made upon them in Parliament. Two or three days afterwards he had received a letter purporting to come from Genoa, which he had never answered otherwise than by acknowledging the receipt of it to the individual, who said he had been charged to deliver it four or five weeks earlier, but had not met with him (Mr. Whitbread) at home. That was the only communication he had received, and he felt himself perfectly at liberty to make use of it, as he had not resorted to any improper source of information. The fact of the letter being sent, he had stated to the noble lord (Castlereagh) in the lobby, who then certainly seemed to possess more urbanity than at present, for he had warned him not to lend his ear to such stories, and the reply was, "What if they come in letters from abroad, how can I avoid it?" He scarcely felt it necessary to assure the House, that he had never sought for or knowingly obtained any information from improper sources.

Mr. *Ponsonby*. I can only say, upon my word of honour, that I never did receive myself, or ever heard that any of my friends had received any communications from the agents of foreign Governments during the course of my life. I hope the noble lord will not now assert that we have clandestinely received information from foreign agents.

Lord *Castlereagh*. I wish to understand in what way the right hon. gentleman meant to apply the terms 'false and base?'

Mr. *Tierney* observed, that this disagreeable discussion might in a moment be terminated, if the noble lord would admit that he did not mean to insinuate that improper practices had existed on the subject.

Lord *Castlereagh*. I am not prepared, I confess, to make such an admission. I think the information was not obtained constitutionally, or properly.

Mr. *Tierney* was quite willing to be examined as to any suspicious correspondence he was concerned in. No body had fewer correspondents. It was impossible for the noble lord to mean that any improper or treasonable intercourse had been carried on with the enemy. Such a charge would be ridiculous.

Mr. *Whitbread* did not understand what the noble lord meant by the terms, 'constitutionally and properly.' He was satisfied that the noble lord was too manly to advance any thing against his opponents which he was not prepared to justify, and therefore asked if he had any serious charge to bring against them, of their having acted in a manner inconsistent with their duties as citizens and members of parliament. If he meant to make no such charge, his right hon. friend would be satisfied that there was no foundation for what had fallen from him; that the noble lord could not have meant what he had understood him to say.

The *Speaker*. I am quite persuaded that the House cannot suffer the debate to terminate with such words unexplained. Whatever might be the heat of debate, or the strength of the impression they made, they are words that, I am sure, the right hon. gentleman will disclaim having used in a personal and offensive sense. They are certainly words not to be employed without an explanation, that they were not intended to give personal offence. The right hon. gentleman owes it to the House to give some explanation.

Mr. *Ponsonby*. I am sure, Mr. Speaker,

that this is not the place for a man to be too pertinacious regarding any expressions he may have used, since he must know what would be the consequence of the intervention of the chair. But I submit to you, Sir, that I was not the first person whose language was exceptionable. I made no charge against any individual of holding clandestine correspondence with an enemy. Let the noble lord place himself in our situation and suppose the accusation brought against himself, would he not feel it very acutely?

Lord *Castlereagh.* I objected on the general principle to the employment of information that must directly or indirectly have come from such sources as those to which I alluded. The right hon. gentleman ought to be the last person to complain of unparliamentary language.

Mr. *Horner* begged to be allowed to say a few words, as the individual to whom the remark of the noble lord was intended to apply. He did not feel called upon to state what were his sources of information, and the House would not suppose that any guilt was connected with them until it were satisfactorily proved. On such a charge, however, it was not unnatural that his right hon. friend should have felt warmly, knowing that the noble lord had no foundation for the imputation. The noble lord ought to make allowances for the heat of debate, and ought to take this opportunity of disclaiming any thing of a personal nature.

Lord *Castlereagh.* I have no difficulty in admitting that I intended no personal charge. I did feel that a motion made upon intelligence procured through indirect channels was not such as Parliament could wisely adopt.

Mr. *Tierney* was fully persuaded that his right hon. friend would be satisfied when the accusation was put in that way. He was sure that the natural good-humour, of which the noble lord possessed so large a share, would prevail to restore amity. The noble lord had at first undoubtedly used a very strong expression.

Lord *Castlereagh.* I am not aware that I employed any strong language that could reasonably be made the subject of complaint. I apprehend that a motion made on information of such a description would not deserve the attention of Parliament.

Mr. *Ponsonby.* I confess that I did feel for my hon. friend, when the charge was made, very strongly. I felt for myself, and for all those by whom I am usually surrounded; and I am happy to find that nothing was intended. I did assert that the accusation was of a most serious nature to every man who values his character, and with that impression I employed the words in the warmth of debate: after the explanation of the noble lord, I may say that I am sorry I used them.

Mr. *Wellesley Pole* congratulated the House on the good humour into which it had subsided. He thought that the gentlemen opposite had profited by the lesson which they had received. Their tone was greatly changed, and they could no longer sing out their usual charge against his Majesty's ministers, that through their fault a valuable ally had been lost. He praised the fairness with which the question had been brought forward, and thought it had been proved that it was impossible to follow any other line of conduct than that which ministers had adopted.

Mr. *Protheroe* having remarked that the hon. member for Bedford had cast his eye rather in a sneering manner towards him, on hearing some gentlemen on his part of the House cheer the noble lord, said he should take that opportunity of expressing aloud the satisfactory impression which that noble lord's defence had made upon him.

Mr. *Horner,* in reply, contended, that he had a right to seek to obtain information in a constitutional manner. The noble lord's speech had not altered the impression on his mind; though he approved of his having reduced the question to one of good faith. The noble lord had directed the attention of the House to the reports of military commanders who had described Murat's conduct; but unless they made out that it had been such in the campaign as could not be fairly attributed to the imperfection of all human efforts, they had not proved what was necessary to support their case. The noble lord had chiefly relied on a collection of letters, which were certainly curious, as they unfolded the private character and dispositions of men of whom one had heard so much; but they did not touch the question. They were all prior to the 4th of March, when the ratification of the Treaty had been signed on the part of Austria, and a month before we had acceded to that Treaty. Murat's conduct before he had entered into any final engagement with the Allies, could be no ground of complaint, and the letters only applied to that period. It was only subsequently to the engagement that he could be declared guilty of a breach of faith. He also thought that the manner in which some of the letters had been procured, should be explained. There was a letter from Buonaparté to Murat, written at Nangis, and, strange to say, afterwards found at Paris by prince Talleyrand. On this, however, he should not expatiate. If his Majesty's Government could prove a breach of faith on Murat's part, then it was clear that they were freed from all engagements with him, but this he contended had not been done.

The question was then put and carried.

Papers relating to the Negociations with the Government of Naples.] In consequence of the preceding motion, the following Papers, relating to the Negociations with the Government of Naples, were laid, by command of his royal highness the Prince Regent, before both Houses of Parliament.

PAPERS relative to NAPLES, presented to both Houses of Parliament by command of his Royal Highness the Prince Regent.

List of Papers.

No. 1.—Dispatch from Viscount Castlereagh to Earl Bathurst, dated Basle, 22d Jan. 1814. Inclosure in No. 1, Treaty between Austria and Naples, signed at Naples, 8th January 1814.

2.—Extract of a Dispatch from Viscount Castlereagh to Lord William Bentinck, dated Basle, 22d January 1814.

3.—Extract of a Dispatch from Viscount Castlereagh to Lord W. Bentinck, dated Chatillon, 4th February 1814.

4.—Extract of a Dispatch from Viscount Castlereagh to Lord W. Bentinck, dated Troyes, 15th February 1814.

5.—Dispatch from Lord W. Bentinck to Earl Bathurst, dated Palermo, 15th Feb. 1814.

Inclosure referred to in No. 5.—Translation of Armistice between the British and Neapolitan Forces, done at Naples, 3d Feb. 1814.

6.—Extract of a Dispatch from Viscount Castlereagh to Lord W. Bentinck, dated Chatillon, 21st February 1814.

7.—Dispatch from Viscount Castlereagh to Lord W. Bentinck, dated Dijon, 30th March 1814.

8.—Viscount Castlereagh to Lord W. Bentinck, dated Dijon, 3d April 1814.

Inclosure in No. 8. Memoir of the Duke of Campo Chiaro.

9.—Dispatch from Viscount Castlereagh to Earl Bathurst, dated Vienna, 7th December 1814. Two Inclosures.

First Inclosure in No. 9. Historical Memoir on the political Conduct of Murat, from the Battle of Leipzic to the Peace of Paris, of the 30th of May 1814.

Second Inclosure in No. 9. Observations thereupon by General Nugent.

10.—Note from the Neapolitan Ministers to Viscount Castlereagh, dated Vienna, 29th December 1814.

11.—Dispatch from Lord W. Bentinck to Viscount Castlereagh, dated Florence, 7th January 1815.

12.—Letter from Mr. Vice Consul Walker to Viscount Castlereagh, dated Naples, 7th March 1815.

13.—Extract of a Dspatch from Viscount Castlereagh to the Duke of Wellington, dated Foreign Office, 24th March 1815. With one Inclosure.

14.—Extract. The Duke of Wellington to Viscount Castlereagh, dated Vienna, 25th February 1815.

One Inclosure. Note from the Duke of Campo Chiaro to Prince Metternich, dated Vienna, 25th January 1815.

15.—Extract. The Duke of Wellington to Viscount Castlereagh, dated Vienna, 25th March 1815.

16.—The Duke of Wellington to Viscount Castlereagh, dated Vienna, 28th March 1815. Five Inclosures.

17.—The Earl of Clancarty to Viscount Castlereagh, dated Vienna, 15th April 1815. Eight Inclosures.

18.—Extract. Comte de Blacas to Viscount Castlereagh, dated Paris, 4th March 1815. Eight Inclosures.

Letter of Eliza Buonaparté to her brother Napoleon, dated Lucca, 14th February 1814.

Letter of Napoleon Buonaparté to his sister Eliza, dated Nangis, 17th February 1814.

Letter of Mons. Fouché to Napoleon Buonaparté, dated Lucca, 18th February 1814.

Letter of Eugene Beauharnois to Napoleon Buonaparté, dated Volta, 20th February, 1814.

Correspondence of French Consuls in Italy, dated 2d and 3d March 1814.

Letter of Napoleon Buonaparté to Marshal Murat; no date.

Letter from the Duke de Feltre to Napoleon Buonaparté, dated Paris, 3d March 1814.

Letter of Napoleon Buonaparté to Marshal Murat, dated 5th March.

19.—Extract. Lord W. Bentinck to Marshal Bellegarde, dated Verona, 25th March 1814.

No. 1.—Viscount Castlereagh to Earl Bathurst, dated Basle, 22d Jan. 1814.

My Lord; Having received from prince Metternich an official communication, that the Emperor of Austria has concluded a Treaty with the person exercising the government of Naples, of which your lordship will receive a copy inclosed, I have instructed lord William Bentinck to the effect contained in my dispatch to him of this date, which I trust the Prince Regent will approve under the circumstances of the case, and the importance of accumulating every possible exertion at this great crisis against the common enemy. I have the honour to be, &c.

Castlereagh.

(Inclosure in No. 1.)—Translation. Treaty between the Courts of Vienna and Naples.

In the name of the Most Holy and Undivided Trinity.

His Majesty the Emperor of Austria, King of Hungary and Bohemia, and his Majesty the King of Naples, desirous of cementing, by the most intimate union, the welfare of their respective States, and of concerting at the same time on the means the best adapted for securing to Europe, and in particular to the people of Italy, a durable state of peace, founded on the independence and the balance of the Powers, have resolved to conclude a Treaty of Alliance for the union of their efforts, with a view to obtain the end proposed.

They have therefore named: That is to say:—His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Adam Albert, count de Neipperg, Knight of the Order of Maria Theresa, Grand Cross of the Order of St. Anne of Russia, Knight of the Military Order of St. George, Commander of the Military Order of the Sword of Sweden, acting Chamberlain, and Lieutenant-general of his Armies; and the Sieur Felix Count de Mier, actual Chamberlain, and his Envoy Extraordinary and Minister Plenipotentiary to the Court of Naples. And his Majesty the King of Naples the Sieur Martin Mastrilli, Duke de Gallo, Great Dignitary of the Order of the Two Sicilies, and of that of the Iron Crown, Knight of the Order of the Golden Fleece, Councillor of State, and his Minister for Foreign Affairs.

Who, after having exchanged their full powers, have agreed upon the following Articles:—

Art. 1.—There shall, from the period of the signature of the present Treaty, be peace, alliance, and a sincere union between his Majesty the Emperor of Austria, King of Hungary and Bohemia, and his Majesty the King of Naples, their heirs and successors, their respective states and subjects, from thenceforth and for ever. The high contracting parties shall contribute all in their power to the maintenance of a reciprocal friendship and correspondent feeling towards each other, avoiding whatever can weaken the union and good understanding so happily subsisting between them.

Art. 2.—The alliance between the two high contracting parties shall have for its object the prosecution of the present war, in order to concur, by their united efforts, towards the re-establishment of a just balance of power, and to secure a real state of peace to Europe, and in particular to Italy, where the two high contracting parties guarantee the defence of their states and interests.

Art. 3.—In consequence of the preceding article, the high contracting parties have agreed to assist each other with all the means which Providence has placed at their disposal, and not to lay down their arms but by mutual agreement.

Art. 4.—His Majesty the Emperor of Austria, King of Hungary and Bohemia, guarantees to his Majesty the King of Naples, and to his heirs and successors, the free and peaceable enjoyment, and also the full and entire sovereignty of all the states of which his Majesty is actually in possession in Italy. His Imperial and Royal Apostolic Majesty will use his good offices for the inducing his allies to accede to the present guarantee.

Art. 5.—In order to fix more precisely the assistance which the high contracting parties shall furnish to the common cause, his Majesty the Emperor of Austria, King of Hungary and Bohemia, engages to keep constantly in the field 150,000 men, of which 60,000 at least shall be to act in Italy. His Majèsty the King of Naples promises likewise to bring into the field a corps of 30,000 men. These troops, consisting of a proportionate number of infantry, cavalry, and artillery, shall be constantly kept up to the full quota, whilst the present war shall last.

Art. 6.—In case the forces stipulated in the preceding article should not be sufficient for the defence of each other's states, and the common interests, his Majesty the Emperor of Austria, King of Hungary and Bohemia, and his Majesty the King of Naples, reciprocally promise to augment their auxiliary forces according to the exigency of the case, preserving always the proportion settled in the preceding article.

Art. 7.—In case his Majesty the King

of Naples shall be at the head of his army, the corps of Austrian troops detached from the main army, and united with the corps of Neapolitan troops for the purpose of acting together, shall be under the immediate orders of this Sovereign.—In the contrary case, the grand Austrian army in Italy being commanded by a field-marshal, or a general in chief of his Majesty the Emperor of Austria, the Neapolitan corps destined to act with it, shall be under the orders of the said general. In case his Majesty the King shall be present, the operations shall be reciprocally combined and concerted in the manner the most analogous to the common interests, and to the success of the armies of the two Allies. In case his Majesty the King shall not be present at the army, the general commanding the Neapolitan troops will have to follow the orders of the general in chief of the Austrian army, according to the plan concerted between the two armies.

Art. 8.—With this view there shall be concluded, immediately after the signature of the present Treaty, a military convention for regulating every thing relative to the operations of the two armies, to the lines which they will have to occupy, and also to the provisioning and to the subsistence of the respective troops.

Art. 9.—The trophies, booty, and prisoners which shall have been taken from the enemy, shall belong to the troops who take them.

Art. 10.—The high contracting parties reciprocally promise, that neither the one nor the other will conclude a truce, or a peace, without including therein his ally.

Art. 11.—Orders shall be given to the ambassadors and ministers of the high contracting parties, accredited to foreign courts, to afford, reciprocally, their good offices, and to act in perfect concert on every occurrence relating to the interest of their Sovereigns.

Art. 12.—His Majesty the Emperor of Austria, King of Hungary and Bohemia, promises the restitution of all the Neapolitan prisoners in his power, and will use his good offices for the restitution of those detained by the Allied Powers.

Art. 13.—The present Treaty shall be ratified, and the ratifications shall be exchanged at Naples with the least possible delay.

In faith whereof the respective plenipotentiaries have signed it, and have affixed thereto the impression of their arms.—Done at Naples, the 11th of January, 1814.

(L. S.) COUNT DE NIEPPERG,
(L. S.) COUNT DE MIER,
(L. S.) LE DUC DI GALLO.

Secret Articles to the Treaty concluded between the Courts of Vienna and Naples.

Article 1.—In order to prevent all pretext of dispute between their Majesties the King of Naples and the King of Sicily, his Majesty the Emperor of Austria, King of Hungary and Bohemia, engages to employ every means to obtain, in favour of his Majesty King Joachim Napoleon, and his descendants, a formal act of renunciation from his Majesty the King of Sicily, for himself and his successors, for ever, to all his pretensions to the kingdom of Naples; his renunciation shall be acknowledged and guaranteed by his Majesty the Emperor of Austria to his Majesty the King of Naples, and his Imperial Majesty will use his endeavours with the other Allied Powers for the purpose of obtaining from them, a like acknowledgment and guarantee.—On the other hand, his Majesty the King of Naples renounces for himself and successors, all pretensions to the kingdom of Sicily, and declares himself ready to guarantee the possession of it to the present reigning dynasty.—The Allied Powers not having it however in their power to accede to the guarantee of the kingdom of Naples, to King Joachim, except on condition of the engagement reciprocally entered into between them, to procure a suitable indemnity to his Majesty the King of Sicily; his Majesty the King of Naples engages, from this date, to admit the principle of this indemnity; and as the efforts of his Neapolitan Majesty are to be directed towards all the objects of the grand European alliance, he takes the especial engagement to extend those efforts, in order to procure the said indemnity for the King of Sicily.

Art. 2.—His Imperial and Royal Majesty also engages to make use of his good offices, to accelerate the conclusion of peace between his Majesty the King of Naples and his Majesty the King of Great Britain, on bases just, solid, and honourable to both parties, as well as for the re-establishment of friendship, and of a good understanding between his Majesty the King of Naples, and the other Powers allied to Austria.

Art. 3.—The two high contracting parties, acknowledging that his Majesty the King of Naples cannot march his troops farther from his kingdom than they are at present, without the certainty of having nothing to fear from a landing upon his coasts, it is expressly understood, that his Neapolitan Majesty shall not be required to employ his troops in active service according to the plan of operations to be combined, until the cessation of hostilities on the part of Great Britain, with respect to his Neapolitan Majesty, shall be completely secured.

Art. 4.—His Majesty the Emperor of Austria, King of Hungary and Bohemia, engages earnestly to endeavour, at the period of a general peace, to obtain for his Majesty the King of Naples an indemnity for the sacrifices and exertions which his said Majesty may have made in support of the common cause, by obtaining for him a good military frontier suitable to the political interests of the two Powers, and to the relations of friendship and union established between them by the present Treaty.

Art. 5.—The two high contracting parties reserve to themselves, at the period of a general peace, to concert more particularly, and with still greater confidence, the conclusion of a treaty of defensive alliance between them, with the view of reciprocally guaranteeing their states in Italy, and of mutually contributing to the common advantages of their subjects and their dominions.

These secret articles shall be ratified separately, and the ratifications thereof shall be exchanged at the same time with those of the Treaty of this day.—Done at Naples, the 11th of January 1814.

(L. S.) LE COMTE DE NEIPPERG,
(L. S.) LE COMTE DE MIER,
(L. S.) LE DUC DE GALLO.

Additional and Secret Article of the Treaty concluded between the Courts of Vienna and Naples.

His Majesty the Emperor of Austria, King of Hungary and Bohemia, and his Majesty the King of Naples, desiring to come to an immediate arrangement respecting the stipulations of the 4th Article of the Secret Treaty signed at Naples the 11th January, have agreed as follows:—His Imperial and Apostolic Majesty engages to secure to his Neapolitan Majesty an acquisition, calculated upon the scale of 400,000 souls, to be taken from the Roman states, and according to the mutual convenience of the two countries. His Imperial and Royal Apostolic Majesty will use his good offices with the holy Father and the high Allies, to induce them to sanction this concession. His Majesty the King of Naples, on his part, solemnly engages to consider this arrangement as satisfying all his expectations of territorial acquisition. The present additional article shall be ratified separately, and the ratifications thereof shall be exchanged at the same time as those of the Treaty patent and secret of this day. Done at Naples, the 11th January 1814.

(L. S.) LE COMTE DE NEIPPERG,
(L. S.) LE COMTE DE MIER,
(L. S.) LE DUC DE GALLO.

Second additional Article to the Treaty signed between his Imperial and Royal Apostolic Majesty, and his Majesty the King of Naples.

The Farnesian property at Rome, and the allodial property in the kingdom of Naples, are expressly comprehended in the guarantee promised by his Imperial, Royal and Apostolic Majesty, to his Majesty the King of Naples, by the fourth Article of the Treaty of the 11th of January. In witness whereof, the undersigned, furnished with the special full Powers of his Majesty the Emperor of Austria, King of Hungary and Bohemia, and of his Majesty the King of Naples, have signed the present additional Article, and have affixed thereunto the seal of their arms.—Done at Chaumont, the 3d March 1814.

(L. S.) LE PRINCE DE METTERNICH.
(L. S.) LE DUC DE CAMPOCHIARO.
(L. S.) LE PRINCE DE CARIATI.

No. 2.—Extract of a Dispatch from Viscount Castlereagh to Lord W. Bentinck, dated Basle, 22d January 1814.

The Emperor of Austria having entered into engagements with the person now exercising the government of Naples, by the tenour of which engagements it is agreed, that a corps of Neapolitan troops, not less than 30,000 men, shall immediately join the Austrian army of Italy, for the purpose of acting offensively against the common enemy, I am to signify to your lordship the Prince Regent's pleasure, that as soon as you receive from his Imperial Majesty's minister at Naples, the Count Neipperg, a copy of this Treaty, your lordship do immediately, upon the faith of that instrument, suspend hostilities against the Government of Naples, on the part of Great Britain; and I am also to direct, that you will take measures for prevailing upon his Sicilian Majesty to do the same.—The Treaty, actually signed, having been returned by prince Metternich to count Neipperg, to have some alterations made in its detail, I inclose a copy of the Treaty as it is proposed to be amended, in order that your lordship may see that the act, as executed, is substantially conformable to the intentions of the Austrian Government, as notified to me. —You will notify the Armistice, should it be concluded, to his Britannic Majesty's officers by sea and land, as far as circumstances will permit, for the direction of their conduct.

No. 3.—Extract of a Dispatch from Viscount Castlereagh to Lord W. Bentinck, dated Chatillon, Feb. 4, 1814.

The subject of the negociations with Murat, and the principles upon which the British Government has acted, are so fully known to your lordship, that you will be enabled to bring the whole under the consideration of the Court of Palermo, in the manner which will best serve to place the conduct observed by your Court, throughout these transactions, in the most correct point of view.

It would have afforded the Prince Regent the truest satisfaction, to have seen his Sicilian Majesty replaced on the throne of Naples by the exertions of the Allies; but there has been throughout, the obvious danger, that in aiming at too much, his Sicilian Majesty might lose all; and that the Allies, in endeavouring to assert too tenaciously the interests of the Sicilian family, might sacrifice the common cause. This consideration has been the governing principle of all their measures; and it is one, to the justice of which the hereditary Prince was himself, upon discussion with your lordship at a former period, not insensible.

Your lordship will be enabled to impress his Royal Highness's mind, that if the necessity for the measure, in a defensive view, had become less pressing, from the late successes of the Allies, it was not the less important in the great scale of the war. Murat's army, united to the Viceroy's, must have neutralized the Austrian efforts in Italy; the deliverance of that important feature of Europe must have been postponed, if not hazarded, and the use of marshal Bellegarde's force altogether lost to the prosecution of the war in France itself.

Under these circumstances, there was only one honourable and prudent line to pursue; to endeavour to combine his Sicilian Majesty's interests with those of the common cause, and to secure for him a suitable indemnity, rather than hazard all the interests concerned.

My note to prince Metternich, of the 27th ultimo, will put your lordship in possession of the steps I have already taken, on the part of my Court, to support his Sicilian Majesty's claims. I cannot hope that such a possession as Naples can be found for his Sicilian Majesty; but the British Government will support his interests cordially, and avail themselves of their relations with Murat to give weight to their intervention.

I shall be glad to receive from your lordship on this subject any information you conceive may assist the Prince Regent in furthering his Sicilian Majesty's claim to a suitable indemnity.

No. 4.—Extract of a Dispatch from Viscount Castlereagh to Lord W. Bentinck, dated Troyes, 15th Feb. 1814.

I trust, my letter to your lordship from Basle, will have enabled you to make such an arrangement with Murat, as may give to the Austrian operations in Italy the entire benefit of his military means. You will have observed by that dispatch, as well as by one which I addressed to your lordship from Chatillon-sur-Seine, that his royal highness the Prince Regent takes the most cordial interest in the welfare of his Majesty the King of Sicily; and I have no doubt that your best exertions will not have been wanting, to impress upon Murat, that no accommodation can take place with him on the part of Great Britain, except upon the principle, of his uniting, so far as depends upon him, in procuring a suitable and just indemnity for his Sicilian Majesty, as well as of his co-operating in the common cause against France.

No. 5.—Lord William Bentinck to Earl Bathurst.

Palermo, February 15, 1814.

My Lord; I have the honour to transmit herewith a copy of an Armistice concluded between the Duke de Gallo and myself, at Naples, on the 3d inst. I have the honour to be, &c.

W. C. BENTINCK, Lieut. Gen.

(*Inclosure in No. 5.*)—*Translation.*

CONVENTION.

The undersigned, in virtue of the full powers with which they are invested, have concluded the following Convention:—

Art. 2.—There shall be from this day forward an entire cessation of hostilities by land and sea, as well between the British and Neapolitan forces, as between the kingdom of Naples and the Islands of the Mediterranean and Adriatic, where British forces, or other troops under the orders of English commanders, may be stationed.

Art. 2.—During the Armistice, there shall be a free commerce in articles not prohibited between Great Britain, the kingdom of Naples, and the Islands mentioned in the first Article, subject, however, to those regulations which are established, or may be established, by the respective Governments.

Art. 3.—If the Armistice should be put an end to, from whatever circumstances, hostilities shall not be recommenced, until three months after the rupture of the same shall have been announced by one of the parties.

Art. 4.—A Military Convention shall be concluded immediately between general or superior officers of the Austrian, English, and Neapolitan armies, in order to establish the plan of operations, according to which the respective troops, united in the same cause, are to act in Italy.—Done at Naples the 3rd day of February 1814. W. C. BENTINCK.

The DUKE DE GALLO.

No. 6.—Extract of a Dispatch from Viscount Castlereagh to Lord W. Bentinck, dated Chatillon, Feb. 21, 1814.

Your dispatches were delivered to me yesterday by captain Graham, who reported to me such information as he had been enabled to collect on his route. The point now of most importance, is to secure the effective co-operation of the Neapolitans, whose active assistance appears indispensable, to give to the Allies that rapid and commanding success, which may speedily decide the fate of Italy.

I am sorry to find that Murat had, under some pretext, delayed the signature of the Treaty in its amended form; and that he still continues to show some *ménagement* towards the enemy. I should rather impute this to a desire still to push some personal views with the Allies, than to any understanding with France.

My letter by the messenger will have put your lordship fully in possession of the views on this subject of the Prince Regent's ministers. The British Government never liked the measure, but being taken, they are perfectly ready to act up to the spirit of the Austrian Treaty, and to acknowledge Murat upon a peace, on two conditions; 1st. That he exerts himself honourably in the war; and, 2dly, That a reasonable indemnity (it cannot be an equivalent) is found for the King of Sicily. I should hope, with this basis to work upon, you may not only quiet any alarms Murat may have felt, as to the nature of our armistice, but furnish him with two very powerful incentives to come forward effectually. In doing so, he will facilitate all his own views, and by assisting in the indemnities to the King of Sicily, he may secure his own title to Naples.

I have forwarded your lordship's military dispatch to London; the exertion you have made in assembling this corps is highly creditable, and its presence must largely contribute to the successful issue of the campaign.

I shall be anxious to receive reports of your lordship's progress; if sent to marshal Bellegarde's head-quarters, sir Robert Wilson will forward them to me. The Armistice, as now arranged by your lordship, is perfectly satisfactory.

No. 7.—Viscount Castlereagh to Lord W. Bentinck, dated March 30, 1814.

My Lord; This instruction will be delivered to your lordship by a courier of Prince Metternich's. I propose in a day or two to forward, by an English messenger, a military instruction, which I have received for your lordship from lord Bathurst; but as his lordship's dispatch is framed upon a supposition that the operations are much farther advanced in Italy than is the fact, the delay of this communication for a few days can be of no prejudice.

I cannot dissemble from your lordship my disappointment, that the great superiority of force which the Allies possess over marshal Beauharnois, has not before this produced the results which, for the honour of the arms of the respective

Powers, and the ulterior objects of the war, we were entitled to expect from such ample and extended means. In your lordship's intercourse with the marshals Bellegarde and Murat, you will not conceal from them, that such are the sentiments of the British Government; and that we conjure them, by union and exertion, no longer to suffer their great and commanding armies to be paralized by an enemy so much their inferior.

As the object is to promote union, and to put aside every minor consideration, I am to signify to you lordship the Prince Regent's pleasure, that you do make every effort to this effect, by lending yourself to whatever measure may best tend to combine the exertions of the allied armies for the early expulsion of the enemy from Italy.

For this purpose, you will to the utmost conform to the views of marshal Bellegarde, regulating, at the same time, your conduct towards marshal Murat upon principles of cordiality and confidence; and in order the better to effect this, and publicly to evince the desire felt by your Government zealously to unite their arms with his, your lordship will select an officer of suitable rank and military talents to reside at the Neapolitan head-quarters, whom you will direct to correspond with me and with your lordship, as sir Robert Wilson at present does.

Your lordship is already fully apprized of the earnest interest the Prince Regent takes in the restoration of the King of Sardinia and the Grand Duke of Tuscany to their ancient dominions; you will give every aid to both, but you will studiously abstain from encouraging any measure which might commit your Court, or the Allies, with respect to the ultimate disposition of any of the other territories in the north of Italy, the destination of which must remain to be discussed upon a peace.—I have, &c. CASTLEREAGH.

No. 8.—Viscount Castlereagh to Lord William Bentinck.

Dijon, April 13th, 1814.

My Lord; As several couriers have lately been intercepted, I send you my dispatch of the 30th ultimo in duplicate, also the instruction therein referred to from earl Bathurst.

Your lordship will perceive that the object of the former is to accelerate those results which may enable you to execute the important object to which the latter is directed, namely, the concentration of the whole of the British disposable force, employed on the side of the Peninsula and Mediterranean, under the command of field-marshal the marquis of Wellington, in the heart of France.

In order to bring the Italian campaign to a speedy and successful result, it is essential that your lordship should consider your force merely as an auxiliary corps, and that you should accommodate, as far as the safety of your army will permit, to the views and wishes of the Austrian commander-in-chief. It is from him your lordship will best learn what are the intentions of the Allies, including those of your own Government; and should your lordship find any difficulty in the execution of this service, arising from what may appear to your lordship to be a departure on the part of marshal Murat or any other member of the Confederacy, from the true principle of the alliance, your lordship will refer the matter for the opinion of the Austrian commander, avoiding as much as posssible any separate discussions which might interfere with the general union and necessary subordination, which ought to pervade the whole.

Whilst the Court of Naples was hostile, and the security of Sicily by no means assured, if my recollection is not incorrect, your lordship's military instructions restricted your operations to such parts of the coast of Italy as might facilitate the return of your force to Sicily, should its presence be required.

The subsequent change of circumstances, recognized clearly in the Dispatch I now send you from earl Bathurst, seems to assign no other limits to your lordship's movements than such as the military expediency of the moment may suggest, and, subject to the better judgment of your lordship and marshal Bellegarde, I have no hesitation in stating it as my opinion, that both with a view of giving complete developement to the active operations of the Allies against the Viceroy, as well as of securing to the Austrian commander that weight and preponderance which it is desirable he should possess, your lordship's corps can be in no manner so advantageously employed as by incorporating it at once with the Neapolitan army, and thus creating such a force, on the right bank of the Po, as may assume the offensive, without reference to distant and complicated combinations.

This course of operations will also best and soonest approach your lordship to those passes into the south of France, which may enable you, either alone, or probably in conjunction with a part of marshal Bellegarde's army, to effectuate your junction with lord Wellington, in obedience to the order herewith sent.

I am sorry to observe that alarms and suspicions have latterly prevailed so as to obstruct all useful concert and co-operation; faults, perhaps, exist on both sides; but we should not despair of correcting them. Many of them may arise out of former combinations—many out of jealousies, not unnaturally resulting from the character and peculiar relations of the parties, and some no doubt from a spirit of encroachment and political speculation on the part of Murat; but the latter must be vigorously repressed, and, I should hope, are much exaggerated; for, were it otherwise, it is not for military concert, but for war amongst ourselves we should prepare, and unless the parties can place themselves towards each other in not only friendly, but confidential relations, they will create the evil which they desire to avoid.

On the question that has arisen between your lordship and marshal Murat, with respect to Tuscany, I am unable, in the absence of any report from yourself, to form a judgment; nor do I find that prince Metternich has any knowledge whatever of the Convention stated to have been signed by count Neipperg with your lordship.

I can easily conceive, without aiming at its ultimate appropriation to himself, that Murat will cling as long as he can to the enjoyment of the resources of so rich a country. There are sufficient indications, however, that he has not been exempt at times from larger views upon Tuscany, and indeed upon the whole of Italy south of the Po. He now, however, professes his readiness to deliver over the country to its former sovereign, and this seems the only effectual and just remedy for the existing evil; as its resources will then be administered by those most nearly interested in preserving them, and both the British and Neapolitan troops will have their respective lines of military operation secured to them by a friendly Sovereign, in whose territories they will find themselves equally received as Allies.

I trust, before this reaches your lordship, that measures will have been taken by marshal Bellegarde, in consequence of orders sent him to this effect, for establishing the authority of the Grand Duke in Tuscany. But this is not the only evil, which it is essential should be made to cease, and to which your lordship's attention should be directed. It is in vain to hope for any useful concert from Murat whilst a system of menace prevails, (and as he may suppose, with the countenance of the British Government) with respect to his title to Naples. The inclosed Order of the Day, issued by the Hereditary Prince of Sicily, as it appears, to troops actually proceeding upon service under your lordship's orders, is in itself sufficient to blast all the prospects of advantage to the common cause, which the Allies proposed to themselves from forming a connexion with Murat; I request your lordship will immediately report to me, for the information of the Prince Regent and his Allies, the circumstances under which this document was issued, and whether your lordship has adopted any, and what steps, for disavowing it on the part of your Court.

Whether the King of Sicily will or will not relinquish his rights to the crown of Naples, it is altogether within his competence, as an independent sovereign, to decide; but it is impossible for his Majesty to pursue by his own means these rights, to the contradiction and prejudice of the views of the Allies, and to retain any claim upon them for support of any sort, either as to the recovery of his Neapolitan dominions, or a possession in lieu thereof. It is true his Britannic Majesty has not yet contracted any engagements with the existing Ruler of Naples, and that from delicacy and attention to the interest of an ally, the King of Sicily, the British Government has, without any strict obligation to do so, declared their intention to be that their Treaty with Murat should *marcher de front*, with a suitable arrangement for the King of Sicily; but if his Sicilian Majesty shall think fit to counteract them in this their generous and friendly policy, having by their Armistice admitted the principle of the Austrian Treaty with Murat, they will feel themselves released from all further forbearance, and will find themselves compelled to enter into an immediate treaty with Murat, in order to protect the common cause against the disunion which the injudicious conduct of the Court of Palermo must inevitably produce.

Your lordship will lose no time in making an official communication to the Sicilian Government to the above effect, and I am to signify to your lordship the Prince Regent's pleasure, should you find that the employment of his Sicilian Majesty's troops on the Continent necessarily leads to impressions incompatible with the existing system of the Allies in Italy, that your lordship do in that case take immediate measures for sending them back to Sicily; an extremity to which, however, under proper explanations with the Sicilian Government, and also with Murat, I flatter myself your lordship will not find it necessary to have recourse.

There is one subject further upon which I deem it necessary to say a few words—not that I entertain the smallest doubts as to your lordship's own conduct being regulated in strict conformity to the present system of your Government; but as your lordship, very properly, and under orders from home, gave great countenance at a former period to the only system which, previous to the revival of the Continent, could afford a prospect of shaking the power of France, it is the more necessary, now that a different and better order of things has arisen, to guard against any act or expression which might countenance an idea, that either your lordship or your Court were actuated by *une arrière-pensée,* inconsistent with the arrangements understood between the Great Powers of Europe. In your lordship's proclamation there may perhaps be found an expression or two, which, separately taken, might create an impression that your views of Italian liberation went to the form of the government, as well as to the expulsion of the French; but taking its whole scope, and especially its opening and concluding paragraghs together, I cannot assent to the interpretation the duke of Campochiaro, on the part of his Government, has attempted to give it; but this and the incident of the colours, prove how necessary it is, surrounded as your lordship must be by individuals who wish for another system to be established in Italy, not to afford any plausible occasion or pretext for umbrage to those with whom we are acting, but with whom our relations may not be such as at once to generate confidence. This course of policy on your lordship's part will best enable us to put marshal Murat's intentions effectually to the test, which can by no means be suffered to remain equivocal, and to reduce his conduct strictly within the circle of his obligations.

Should your lordship have brought any supply of arms with your expedition, I must particularly enjoin your lordship not to employ them in any loose or general armament of the people. It is not insurrection we now want in Italy, or elsewhere. We want disciplined force under Sovereigns we can trust; as far, therefore, as you can aid the Archduke, or the King of Sardinia, in the levy of troops, you have full authority so to do; but under the extent of our pecuniary engagements to other Powers, I must request your lordship will not charge yourself with the pay or expenditure of any other force, than what you have actually brought with you from Sicily.

Notwithstanding the favourable state of operations on this side of the Alps, I do not attach the less importance to the success of the Allied arms in Italy. Union and energy can alone extricate the Allies from the pernicious inactivity, to which misconceptions amongst themselves appear to have given occasion; to obviate which in future, and in order that no misunderstanding may take place in any quarter as to the upright intentions of the British Government, I propose to communicate to the duke of Campochiaro here, the substance of the orders I now send to your lordship, and to furnish Prince Metternich with a copy of this dispatch, for marshal Bellegarde's information and guidance in his intercourse with your lordship.—I have, &c. CASTLEREAGH.

P. S.—Although I have thought it proper to send your lordship, for your confidential information, a copy of the Duc de Campochiaro's *Mémoire,* I wish your lordship to understand, that considering it in many respects unbecoming in its tone and language, and unfounded in point of fact, both Prince Metternich and myself have refused officially to receive it. Your lordship will not require any assurance from me, that the British Government never pretended to answer for the consent of the King of Sicily to any arrangement whatever to the prejudice of his resumption of the Crown of Naples; they never did more than answer for their own conduct upon a measure, which was felt to be necessary to the general interests of Europe.

CASTLEREAGH.

(Memoir from the Duke of Campo Chiaro.)—Translation.

So early as the 8th of January of the present year, a Treaty of Alliance was concluded at Naples between his Majesty the King of Naples and his Majesty the Emperor of Austria, by which, amongst other stipulations, the accession of the other Allied Powers to the Treaty, and a mediation for the conclusion of peace with Great Britain, were promised to the King. This negociation met with no difficulty, and the King consented to it the more willingly, as his excellency Prince Metternich had, as early as the 28th of October 1813, assured the Neapolitan Court, through its minister Count Mier, that lord Aberdeen was furnished with full powers *ad hoc*, as well as of the formal renunciation of King Ferdinand of Sicily to the kingdom of Naples. Those assurances were confirmed by Count Neipperg, Austrian minister at Naples, stating at the moment of his departure from the head-quarters on his mission, similar powers had been sent to lord William Bentinck in Sicily.

After the signature of the Treaty, the King, upon the faith of promises, put his army in motion, proclaiming that his ob-object was the defence of his dominions and of Italy. At the time when the King looked for the negociation for a Treaty of Peace with Great Britain, lord William Bentinck declared that he had not the necessary powers, and that he could only sign an armistice: and when the King expected that the ratification of the Treaty with Austria was arrived, the Austrian minister presented to him a new Treaty, Austria not being willing to ratify the first, notwithstanding that it had been drawn up in conformity to the full powers given to Count Neipperg, and with his full consent.

During these transactions the King did not stop the course of his military operations against France; and his Majesty signed the second Treaty, which had been drawn up according to the wishes of the Emperor of Austria without altering a single phrase, notwithstanding he had already changed the Imperial Government at Rome, blockaded the castles of St. Angelo and of Civita Vecchia, occupied the town and ports of Ancona, (except the citadel,) and marched his troops upon Tuscany and Bologna. This Treaty, which had for its object the common cause of Europe, and was similar to others which the Allied Powers had recognised as an integral part of the common cause, should have likewise had the same results: but observations as to form, made on the part of England, and delays on the part of the other Powers, totally changed the King's position with respect to the guarantee he expected for his own dominions, and did away the before-mentioned full powers, and the renunciation of King Ferdinand; however, his Majesty, relying entirely on the personal sentiments of the Emperor of Austria, and on the good faith of the British Government, did not, for a single instant, swerve from the line of his political and military operations, according to the strict sense of his engagements: he was convinced that it was impossible to become a party to the coalition without a reciprocity in his favour.

If questions arose respecting the operations of the armies in Italy, they ought to have been looked upon merely as differences of opinion in a military point of view, which have since been justified by facts. The King, in the space of two months, made himself master of a fort at Terracina, fort St. Angelo, Civita Vecchia, all the forts of Ancona, and Leghorn; he defeated the enemy at Reggio, and by his manœuvres, made such a diversion, that if marshal Bellegarde would have passed the Mincio, the weakness of the Viceroy's army at that point never could have been greater than at that moment; added to this, a circumstance happened, which gave hopes to the King of the accomplishment of his wishes in the junction of his troops, with those under the command of lord William Bentinck. This circumstance of itself completed that concatenation of unhappy facts, which could only inspire the King with a confidence proportionate to his ability, and to the political system to which he had entirely given himself up.

Lord William Bentinck dispatched the chief of his staff, Count Catinelli, to marshal Bellegarde, in order to concert with him the operations of the two armies. The marshal wished that the British troops should act against the Genoese territories, whilst lord William Bentinck wished to take possession of Tuscany, and produced a Convention agreed to by Count Neipperg, by which he was to occupy that country. This Convention was unknown to the King; it was contrary to the 4th article of the armistice signed by lord William Bentinck, wherein it is said that the operations of the armies should be agreed upon by common consent by the generals of the three Powers; and it became useless from the moment that Tuscany was completely conquered by the Neapolitan troops:—marshal Bellegarde did not, therefore, deviate from his opinion, and he urged, that the British army should act against Genoa.

Colonel Catinelli, who had failed to convince marshal Bellegarde, observed to the King at Bologna, on his return from his mission, that it would have been difficult and even impossible to have effected a landing at Spezia on account of the forts which defended the port, and the difficulties which the season opposed to the anchorage. The King proposed to attack the forts on the land-side with his troops; but as the difficulties with respect to the season still continued, he told colonel Catinelli that the army could disembark at Leghorn and direct itself against the Genoese territory, and offered a detachment of his troops to assist the expedition. It was then, for the first time, that Count Catinelli informed the King of the Convention respecting Tuscany which had been signed by Count Neipperg: the King was surprised at it, and declared it was unknown to him. However, his Majesty, not wishing on that account to arrest the progress of the allied armies, invited Count Catinelli to cause the British troops to land at Leghorn. He assured him that he wanted them, whilst his Majesty had no doubt that he should soon come to an agreement with lord William Bentinck.

All these amicable dispositions, which contributed towards realizing the object of the alliance, have unfortunately not answered the King's expectations. No sooner were the English troops landed, than Tuscany was inundated with proclamations. One, issued in the name of lord Bentinck, and of which a copy is annexed under letter A., was addressed to the Italians. The other, under letter B., came from the Vicar-general of Sicily, and was directed to the Sicilian troops, forming a part of the expedition. The former holds out the promise of union and regeneration, appealing to the example of the constitution of Sicily, by which that Island was rescued from slavery. If the Allied Powers promulgate such principles to the Italians, why should not the King follow the same course? With respect to the second, it is impossible that the King should think his dominions guaranteed to him, when an army, commanded by the general of a friendly Power, is, at the same time, directed to conquer the kingdom which he possesses.

The King, who was desirous to be on a good understanding with lord William Bentinck, and who was happy to unite his arms with those of Great Britain, not only to carry on military operations with more vigour, but to form and establish his political relations with the Court of London, found himself in a state of hostility with lord William Bentinck, and notwithstanding all his efforts to avoid it, and all the expedients he had proposed to conciliate their respective views. All reasoning was useless; lord William Bentinck will have the administration of Tuscany—that Tuscany which was conquered by the Neapolitan arms, and in regard to which, as the King does not acknowledge the having acceded to any previous Convention, and did not himself establish the Government of the Grand Duke, he cannot accede to the pretension without compromising his dignity. The King offered lord William Bentinck the military command of Tuscany, and to place his troops under his orders: he offered to draw a military line of operations: finally, he offered to leave the question to lord Castlereagh's decision. All these propositions were refused, and lord William Bentinck threatened to drive the Neapolitans from Tuscany, as well as to renew the war between the two countries. His Majesty, confident in the justice of his cause, and in his own loyal conduct, will never accede to a transaction which shall stain the dignity of his character.

No. 9.—Viscount Castlereagh to Earl Bathurst, Vienna, December 7, 1814.

My lord;—I herewith inclose to your lordship the copy of a memoir which has been laid before me by the duke of Campo Chiaro, respecting the conduct of Murat, and likewise the copy of a paper of observations upon the same from an officer of high authority employed in the allied army of Italy. I propose referring copies of these papers to lord William Bentinck, for his observations thereupon. I have, &c.

Castlereagh.

(First Inclosure in No. 8.)—Translation.

Historical Memoir on the Political and Military Conduct of his Majesty the King of Naples, from the Battle of

Leipzic to the Peace of Paris, of the 30th of May 1814.

1. As soon as it was in the power of the King of Naples to appreciate the wise and moderate views of the Coalesced Powers against France, he did not hesitate an instant to sacrifice his sentiments and his personal affections to the welfare of his kingdom and of his beloved subjects.

2. He marked the alteration of his policy towards France, by a decree dated the 11th of November 1813, which revoked the French decrees against the English commerce, which considerably reduced the duties on colonial productions, and which permitted the introduction into the kingdom of Naples of various articles which had been till then prohibited. It is necessary to remark, that these dispositions took place at a time when France still exercised all her preponderance in Italy, and had not entirely lost it in Europe.

3. Upon the overtures made by the Austrian cabinet to Prince Cariati, the Neapolitan minister plenipotentiary at Vienna, to engage the King to take part in the war against France, his Majesty authorized that minister to enter into negociations with the Allied Powers respecting his accession to the coalition.

4. He at the same time sent the marquis de St. Elie to Sicily, in order to make known to the Prince Regent of England, through lord William Bentinck, his desire to conclude peace with his Britannic Majesty; and although this proceeding had no effect, it does not the less prove the King's eagerness to unite himself with England. During those transactions the Austrian Cabinet proposed to the King to conclude a Treaty of Alliance with him conjointly with England. They assured his Majesty that lord Aberdeen, the English ambassador at the Court of Vienna, was authorized by his Government to sign it, and promised that all the Powers would accede to it.

5. The King lost not a moment in sending to prince Cariati the necessary full powers to sign the Treaty of Alliance proposed by Austria: but during the progress of this negociation, count Niepperg, an Austrian general, arrived at Naples on the 30th of December, furnished with full powers, on the part of his Majesty the Emperor of Austria, to sign a Treaty of Alliance between the Courts of Naples and Vienna. It was observed to that plenipotentiary, that the King's intention was to treat with Austria and England conjointly;—upon which count Niepperg declared that the Treaty he was instructed to conclude with the Neapolitan Government, would be common both to England and the Allied Powers, because it was agreed between them that the ally of one should be the ally of all the others; and he added, that he was the bearer of orders from the British Government to lord William Bentinck to cause hostilities to cease on the part of Great Britain, against the kingdom of Naples.

6. In consequence of the assurances and intreaties of the Austrian plenipotentiaries, which had for their object to hasten the co-operation of the Neapolitan troops against the French army in Italy, the King, on the 11th of January 1814, signed a Treaty of Alliance with Austria, by which that Power guaranteed to him the sovereignty of the kingdom of Naples, and engaged to procure for him a similar guarantee on the part of all the Allied Powers, as well as a renunciation from King Ferdinand 4, of his rights upon that kingdom. One of the clauses of this Treaty, moreover, stipulated for an augmentation of territory, which should give to the kingdom of Naples a good military frontier.

7. Count Niepperg communicated this Treaty to lord William Bentinck, and invited him to cause hostilities to cease against the Neapolitan Government: and, in effect, lord William Bentinck came himself to Naples, and on the 3d of February 1814, signed a Convention of armistice with the Duc de Gallo, the King of Naples' minister for foreign affairs.

8. It was stipulated by the Convention that hostilities should cease between Great Britain and Naples; that the commercial relations between the respective states and subjects should be re-established, and that the generals commanding the Austrian, English, and Neapolitan armies, should agree upon a plan of operations, according to which the armies united in the same cause should act in Italy.

10. The King, who left Naples the 23d of January, had already caused his army to advance into the territory of the French empire and the kingdom of Italy. The sieges of Fort St. Angelo and the towns of Ancona and Civita Vecchia were begun.

11. On the 30th of January the King published a proclamation to his troops, in order to animate them to defend the cause of Europe:—the decided tone of that

proclamation made it clear that the course pursued by the King left him no means of reconciliation with Napoleon.

11. A military Convention was signed on the 7th of February by the Austrian general Nugent and the Neapolitan general Livron. It was agreed by this Convention, that the two armies should be separated by the Po, and that after they should have approached that river to put themselves in direct communication with each other, they should push forward their operations in Lombardy and Piedmont.

12. While affairs were in this state, the King was informed by the Austrian Cabinet that the Treaty signed at Naples had not been ratified, because lord Castlereagh, in examining it, had made alterations in it, together with some observations, in order to make it such that Great Britain should have no difficulty in accepting it.

The alterations were principally, that the King should renounce all pretensions to Sicily, and that he should concur, as well in the guarantee of its possession in the reigning family, as in an engagement to procure for them a suitable indemnity for the kingdom of Naples. It was further fixed, that the promised augmentation of territory should be taken from the Roman states upon a scale of 400,000 souls.

The Austrian Cabinet added, that these alterations had been discussed with the ministers of Russia and Prussia, and that they all concurred in opinion that if his Majesty accepted the modifications made to the Treaty, all the Allies would accede to it by separate acts.

13. This declaration was confirmed by a note from the Austrian plenipotentiary, dated the 10th of February, and by a dispatch from lord Castlereagh to lord William Bentinck, dated Basle, the 22d of January, by which he was directed, in consequence of the conclusion of the Treaty of Alliance between the Courts of Vienna and of Naples, with the concurrence of Great Britain, to suspend hostilities against the Government of Naples on the part of Great Britain, and to take the necessary steps to engage his Sicilian Majesty to act in the same manner.

14. Although the King might be surprised at this conduct contrary to received usage, his Majesty nevertheless determined to abandon himself with the greatest confidence to the good faith of the Austrian and English ministers. He accepted the modifications proposed by lord Castlereagh, and ratified the Treaty by an autographical letter which he addressed to his Majesty the Emperor of Austria. Still, however, the ratification of this Sovereign, which the Austrian plenipotentiaries had promised to deliver to the King three days after the signature of the new Treaty, did not arrive until the 4th of March, viz. after a month's delay.

15. Scarcely had the King arrived at Bologna, when marshal Bellegarde, in unfolding to his Majesty in a letter, dated the 8th of February, his plan of campaign, acknowledged the advantages which the Austrian army had already received from the movement upon Bologna, or to speak plainer, the appearance of the two first divisions of the Neapolitan army in the department of the Reno. The field-marshal expresses himself on this subject in the following manner:—"The advance of your Majesty's troops, and particularly your own arrival at Bologna, immediately decided the Viceroy to retreat."—He goes on in the same letter to state—"I passed the Adige on the 3d; to-day (viz. the 8th of February) I shall pass the Mincio, between Vallagio and Goite; to-morrow the circumvallation of Mantua and Peschiera, &c. will be completed." The King was thus, from the beginning of February, assured that marshal Bellegarde was fully determined to force the passage of the Mincio, in order to march towards Placentia, where his army would come in communication with the Neapolitan army, and follow the operations on the Upper Po and in Piedmont.

16. The sieges of Ancona and Civita Vecchia, that less important one of Fort St. Angelo, and the occupation of Tuscany, where the enemy, still in possession of the forts of Leghorn, had 3 or 4,000 men, left at the King's disposal, until the reduction of the aforesaid towns and forts should have taken place, only sixteen battalions of infantry, forming the divisions Carascosa and Ambrosio, and about 14 or 1500 cavalry.

17. Notwithstanding the vast field of operations in which the Neapolitan army was occupied, or rather dispersed, which according to the terms of the 3d article of the Treaty signed with Austria the 11th Jan. was not to exceed 30,000 men, effectives; the King, on the 9th of February, viz. the same day that he received marshal Bellegrade's letter, hastened to concur in

the success of the operations of the Austrian army, in directing the first division on Reggio, and placing the second *en échelon* on the great road from Rubbiera to Modena. The first division thus supported the movement of the division of Nugent, and the second by the occupation of Carpi and Novi observed Borgo Forte, where the enemy had constructed a bridge and a very strong *tête-de-pont.* On the 13th Feb. the head-quarters of the 1st division were at Reggio, and almost the whole of the troops which composed it, including the cavalry, were in position on the Enza. The head-quarters of the King were on the 8th at Modena. General Count Nugent with his division then occupied Parma, Borgo, and St. Domino, with his advanced posts at Firenzuola. In the mean time the King, attentive to this officer's operations, and in order to avoid surprise, caused his left flank to be cleared through the valley of the Taro as far as Fornovo and Bevuto, and attentively watched Borgo-forte, from whence the enemy could at pleasure *déboucher* with considerable force to attack the right flank, and even occupy all the troops which were acting in the direction of Modena and Placentia. These dispositions of the King were effected with promptitude and energy, and according to the true principles of war. On the evening of the 17th his Majesty learnt by the chief of his staff, that marshal Bellegarde informed him the same day, not 'that he had forced the passage of the Mincio and completed the circumvallation of Mantua and Peschiera,' as he had announced in the most positive manner in his letter of the 8th of the same month to his Majesty; but, on the contrary, that the Viceroy still occupied, with almost the whole of his forces, the positions on the right of the Mincio, from whence he could at pleasure cause a part to *déboucher* upon Mantua, &c.

Let us examine for an instant the position in which the King found himself at the moment he learnt so great an alteration in the dispositions of marshal Bellegarde. The division Nugent, forming the head of the column, was not composed of 3,000 fighting men; it extended, as has been already shown, from Parma to Firenzuola, and covered all the country which is situated between the Taro and Nura; its advanced posts were but four miles from Placentia. The first division was placed *en échelon* between Parma and Reggio, occupying Fornovo and Bevuto upon the left flank. The second division was posted between Reggio and Modena, occupying Brescilla, Gualtieri, Guastalla, and Novi, in order to observe, as much as possible, Borgo-forte, and secure the right flank of the operations. These two divisions, each composed of eight battalions, made together a force of 12,800 men; there were besides 1,300 cavalry, part of which was with the advanced guard of general Nugent, the remainder posted as advantageously as possible, viz. upon the Enza and Rubbiera, towards Brescilla, and in advance of Guastalla. This position, too extensive, particularly on account of Borgo-forte, could not be approved, except for two reasons;—first, that the King believing marshal Bellegarde on the right of the Mincio, or on the point of passing it, had no longer any thing to fear from the bridge at Borgo-forte, which the enemy would necessarily have destroyed in quitting his line of defence; secondly, that notwithstanding the small number of his troops, his Majesty wished to reach Placentia before the enemy, to prevent his passing the Po at that point, and of thereby shutting the entrance of the valley of Trebbia to him, through which, by passing along the Bobbio, he would have had a secure retreat upon Genoa, (even if it should have been decided, to avoid all pursuit, to abandon the great road from Castel St. Giovanni to Tortona.) The enemy would besides, by his passage of the Po at Placentia, have had the means of reinforcing himself with 3,000 or 4,000 men, which the Neapolitan troops were driving out of Tuscany, and who effected their retreat by Massa and Lazzana. The King having learnt by the above-mentioned letter from marshal Bellegarde to the Chief of the Staff of the Neapolitan army, that the Marshal had given up the idea of passing the Mincio, and which was confirmed to him the same day by the British colonel Catinelli, who had just arrived from the Austrian head-quarters at Villa-franca, his Majesty decided to acquaint general Nugent that the position which his division occupied between the Taro and the Nura was become hazardous, and that it would be prudent, and even necessary, for him to put himself behind the Enza, holding Parma only by a party of light cavalry.

In consequence of the reasons above stated, the King was obliged for the moment to renounce demonstrations against Placentia, which were then become useless, because the garrison of that place, after having been joined by all the new levied troops from Alexandria, the other places in Piedmont, and from the interior of France, amounted to 16,000 men; neither could the King change his demonstrations into a direct attack, which would have required the whole of his forces, because the Viceroy, by his position on the Mincio, had it in his power to pass whatever number of troops he chose, by the bridge of Borgo-forte, before marshal Bellegarde could have suspected it, as all movements on the right of the Mincio were admirably covered by Mantua.

However, the King not willing to give give up harassing the rear of the enemy's right, threw a bridge over the Po, at Sacca, (viz. at two miles above Casal Maggiore), and with the sappers of the army, and the marines of his guard, constructed a *tête-de-pont* upon the left bank, under the direction of general Nugent, who, in his letter of the 24th February to the King's Chief of the Staff, praises particularly the zeal, intelligence, and devotion displayed throughout these operations by the Neapolitan troops who were employed in them. The bridge finished, his Majesty caused Baron d'Aspre, an officer of general Nugent's staff, to pass it with a column of troops, half Austrians and half Neapolitans, surprised Casal Maggiore, where colonel Frangissani, attached to the Viceroy's staff, was made prisoner, with 40 *gens d'armes.* Baron d'Aspre, after having occupied Casal Maggiore, sent out patroles on the roads to Cremona, Piadene, and Mantua. This movement, pushed with activity, produced the best results, as it induced the enemy to consider it as a prelude to a serious passage of the river: and the Viceroy in consequence detached a considerable force towards the Po, and positive information was received that the division Zucchi was directing itself on Borgo-forte, and that a French division under general Grenier was destined to reinforce the garrison of Placentia, which would thus amount to 22,000 men.

How was it possible for the King to co-operate more effectually than he had done to weaken the Viceroy on the Mincio? More than 12,000 men had been detached by the Viceroy from his line of operations, and still marshal Bellegarde did not dare to attempt the passage of the Mincio, although informed by the King of each movement of the enemy, who was informed of them himself by his advanced posts near Borgo-forte, and by the Baron d'Aspre.

The chief of the French army, convinced of the inactivity of the Marshal, that he could with safety reduce his force on the line of the Mincio, without risking attempts on the part of the enemy, directed general Grenier to proceed with the greatest part of his force from Placentia to Reggio, to drive general Nugent from the positions he persisted in keeping between the Taro and the Nura, against the wishes of the King; or, if he should determine to defend them, to crush him: at the same time general Zucchi received orders to pass the Po at Borgo-forte, and to move upon Guastalla: it was even asserted that the Viceroy had passed the Po, and personally directed this movement, which compromised all the left flank of our *échelons.* General Nugent felt too late that he was wrong in not having attended to the information which the King caused to be sent to him by the chief of his staff on the 17th February. The Austrian division under his orders was pushed back to Lecchia, and would have been pushed further, had not the two first divisions of the Neapolitan army stopped the progress of the enemy.

The King perceiving that the greater part of the French and Italian troops under general Grenier appeared desirous, in the retreat which they had commenced upon Guastalla, to repass the Po at Borgo-forte, after being joined by the division Zucchi, thus reinforced by 20,000 men of the army of the Mincio, in order to make an attack which would have been fatal to the Austrian army, did not hesitate, notwithstanding the inferiority of his troops in point of numbers, briskly to attack general Grenier, to oblige him to give up his project by forcing him to fight under the walls of Reggio. The conduct of the Neapolitan troops this day, and the brilliant success which resulted from it, are sufficiently known to all the military of the army of Italy. The King might call for the testimony of the Austrian generals, and of the minister Count Mier, who did not quit his Majesty during the day. Marshal Bellegarde, in his letter of the 10th March, on this occasion, pays a just tribute of praise to the brilliant bravery of the Neapolitan troops. The enemy having been driven into Reggio, and consequently beaten from all his positions, the King, without losing a moment, occupied the roads of Brescilla, Guastalla, and Carpi. General Grenier, with some thousands of men only, was able to retire to Borgo-forte, the remainder were obliged to effect their retreat by St. Ilavio and Parma, and to take up a position on the left of the Taro.

18.—19. While these events were passing in the Modenese and Parmesan, a corps of Anglo-Sicilian troops, under the orders of lord William Bentinck, landed at Leghorn. The debarkation at this point, and the intention to act in Tuscany, intimated to the King and to count Miers, by colonel Catinelli, chief of the staff to lord William Bentinck, at the time of his late visit to head-quarters, did not coincide with the notice given by marshal Bellegarde to the King, in his letter of the 8th February, that the expedition from Sicily was destined against Genoa, where the utility of its co-operation appeared to have been acknowledged. In order to be regular, and in conformity to the 4th Article of the Convention of Armistice, which lord William Bentinck had just signed, it was necessary that the operations of his *corps d'armée* should be regulated beforehand, and in concert with the chiefs of the Austrian and Neapolitan armies: the debarkation in Tuscany was not the result of any plan agreed upon for this object between the generals of those armies. Moreover, when the English presented themselves before Leghorn, Tuscany had several days before submitted to the King's arms, the enemy having been entirely expelled after the engagement at Borgo Baggiano, which were the last Neapolitan troops in Tuscany.

20. The direction given by lord William Bentinck to his *corps d'armée* must necessarily, from every motive, astonish the King, and might create doubts in his mind; but rejecting every idea of distrust, his Majesty hastened to send one of his general officers with a letter to lord William Bentinck, in which he offered to put under his orders a regiment of cavalry and a battery of artillery, in the supposition that the Anglo-Sicilian *corps d'armée* might want both the one and the other. The officer sent by the King was besides charged to demand of lord William Bentinck, in what manner, and upon what point he intended to act, and was to propose to him, in case he desisted for the moment from his expedition against Genoa, to unite his troops to the Neapolitan army, and to act frankly and in concert upon the right bank of the Po, without attending to the movements which the Viceroy might make on the left bank, because the troops which would be assembled after the junction of the British *corps d'armée* with the Neapolitan troops and the division Nugent, would have been sufficient to penetrate to the Upper Po, to pass that river in the rear of the Viceroy, and by that means to force him to quit the line of the Mincio, which marshal Bellegarde persisted in regarding as impossible. In the case of his acceding to the King's project, lord William Bentinck was requested to indicate the route which he would take to place himself in line,—whether by Pontremoli, the valley of the Taro and Parine, or by Pistoia, and Modena, or by Florence and Bologna; and according to the direction lord William Bentinck should have preferred, the Neapolitan officer would, according to his instructions, have given the necessary orders to insure, along the route, the subsistence and lodging for the troops.

21. Lord William Bentinck gave no answer to the King. Some days afterwards he came to the King's head-quarters at Reggio, and declared that he insisted that Tuscany should be given up to him, and that it should be instantly evacuated by the Neapolitan troops.

22—23. The King could not consent to these pretensions, for several reasons: first, that Tuscany had only been conquered and occupied by his troops to be given up to its ancient Sovereign, who was a prince of the Austrian family, his august and faithful ally. Secondly, That this occupation of Tuscany by the English, not having a military object in view, nor the least co-operation towards the success of the common cause, could not be exacted by lord William Bentinck but for motives offensive to the dignity and interests of his Majesty. Thirdly, That this cession of a country conquered by the King's arms to the troops of a Power with whom he was as yet but in a state of armistice, would more properly have served as the condition of a definitive Treaty with Great Britain; and which the King did not cease to offer, and lord William Bentinck to refuse. Fourthly, That the Sicilian troops, on landing at Leghorn, had published a proclamation of the Court of Sicily, which had been distributed and stuck up in all parts of Tuscany with too much *éclat* and ostentation to be unknown to lord William Bentinck:—by this manifesto it was declared that the Sicilian troops were destined to support the rights of the ancient dynasty upon the kingdom of Naples.

24. Zealous to stifle in the beginning every germ of distrust, and resolved to exhaust every means of conciliation towards the British general, the King went so far as to offer him the chief command of Tuscany, with the reserve, that the administration should continue to be carried on in his Majesty's name, and that the Neapolitan flag should continue to be hoisted on the forts. But shutting his ear to every proposition, and rejecting every offer, lord William Bentinck declared that he should consider the King's refusal to deliver Tuscany up to him as an act of hostility, and that he should act in consequence. He even talked of raising the population of Tuscany against the Neapolitan army, and of making a diversion into the kingdom of Naples.

25. Struck with astonishment at such threats, the King had a right to fear, that under vain pretexts it was intended to declare war against him, and, forced to look to his own defence, instead of extending his line of operations, he concentrated his army, to assure himself, in case of need, a retreat.

26. This measure of prudence, called for by the extraordinary conduct of lord William Bentinck, gave rise at the time to unjust aspersions and slanderous suspicions respecting the King's intentions: and the enemy did not fail to feed and strengthen them by false reports and insidious tales, which he adroitly caused to be circulated amongst the generals of the combined armies.

27. During these discussions the Russian general Balascheff arrived at the King's head-quarters, charged to deliver an autographical letter from the Emperor of Russia to his Majesty, bearing date the 23d of February, by which that Sovereign declared to the King that he renewed with pleasure the relations of friendship and good intelligence which had subsisted between the two Powers, and that adopting the principles and basis of the Treaty concluded between Naples and Austria, he had furnished general Balascheff with the necessary full powers to sign a Treaty of Alliance with the King. But the unexpected events which took place in France prevented the conclusion of the negociation which had been begun between that plenipotentiary and the Cabinet of Naples.

28. The King was also informed, by his minister accredited to the Allied Sovereigns, that lord Castlereagh had promised that the British Government should furnish him with 15,000 muskets for the equipment of his troops, and that that minister had declared, at Chaumont and Dijon, that England, having a Treaty with the King of Sicily, could not conclude a Treaty with the King of Naples until she had obtained an indemnity for King Ferdinand IV.; but that the King of Naples might rely on the good faith of England, who, having concurred in the engagements entered into by Austria with his Neapolitan Majesty, only delayed, from delicacy, the conclusion of a Treaty of Peace with him; that in case of King Ferdinand's not making a renunciation of his rights upon the kingdom of Naples, and accepting a compensation, England would not continue the war for him, and that, in short, the British Government would be the mediator between the Courts of Naples and Sicily.

29. Lord William Bentinck received orders to make the same declaration to the Neapolitan Government, and in consequence presented an official note, dated the 1st of April, to the Duc de Gallo, in which he declared, that the British Government approved the whole of the Treaty concluded between the Austrian and Neapolitan Governments on the 11th of January 1814; that he consented to the augmentation of territory, promised to the King of Naples from the Roman territory, and that if the British Government refused to sign a Treaty *in limine*, that arose solely from a sentiment of delicacy which obliged it to make that negociation go hand in hand with one for an indemnity for King Ferdinand IV.

30. Lord Castlereagh also, on the 3d of April, addressed a dispatch to lord William Bentinck, by which he disapproved of the proclamation of the hereditary Prince of Sicily to the Sicilian troops united to the British corps landed at Leghorn, and directed him to make known the measures he had taken to disavow this act in the name of the British Government. Lord Castlereagh further declared in this dispatch, that it depended on the King of Sicily to renounce, or not, the kingdom of Naples; but that it was impossible for his Sicilian Majesty to sustain his rights by his own means, in opposition to, and to the prejudice of the views of the Allies, as well as to make good his pretensions, either to the re-occupation of his Neapolitan dominions, or to a concession as an indemnity. Lord Castlereagh added,

that it was the intention of the British Government to make the Treaty with the King of Naples go hand in hand with an arrangement for an indemnity for King Ferdinand; that if the Sicilian Government was desirous of opposing these views, the British Government having admitted for its armistice the principles of the Austrian Treaty with the King of Naples, would consider itself absolved from all engagements, and would think itself even obliged immediately to sign a Treaty with King Joachim:—The case provided for by lord Castlereagh is in effect arrived, since the Court of Sicily has protested against every proposition of indemnity for the kingdom of Naples.

31. These assurances calmed the just alarms of the King, especially as he was informed that at the conferences at Chatillon, when the French plenipotentiary brought forward propositions respecting Italy, and particularly the kingdom of Naples, the plenipotentiaries of the Allied Powers formally declared, that it did not belong to France to interfere in the affairs of Italy, since the Allied Powers had already decided its fate, and that, with respect to the kingdom of Naples, they had contracted engagements which guaranteed the possession of it to the reigning dynasty:—and this Declaration was inserted in the Protocol and signed by the plenipotentiaries of the four great Powers.

32. The King found another proof of the concurrence of these Powers in the engagements contracted by Austria, in the determination taken by them to invite the Courts of Naples and Bavaria to accede to the Treaty of Alliance concluded at Chaumont the 1st of March, between Austria, Russia, England, and Prussia.

33. However, it was not possible for the King to push forward his operations, until he should be assured of the co-operation of marshal Bellegarde; the necessity of an understanding was felt, and sir Robert Wilson arranged a meeting on the 7th of April for the King and marshal Bellegarde at Ravere on the Po. At this conference, at which the Austrian, English, and Russian ministers assisted, it was decided that lord William Bentinck should evacuate Tuscany, and march against Genoa; that the King of Naples should pass the Taro, take Placentia, and passing the Po, force the Viceroy to evacuate Lombardy, and to retire into Piedmont; that marshal Bellegarde should pass the Mincio, and drive back the Viceroy, and concert his operations with those of the King; and that at last, when the three armies should be united on the frontiers of Piedmont, they should force the enemy to repass the Alps.

34. The King immediately began his attack on the Taro. The Neapolitan army had several brilliant affairs with the enemy, in which it lost considerable numbers. The Austrian, English, and Russian ministers were present, and all of them saw with what ardour the King exposed his person for the common cause. The passage of the Taro was executed with the greatest bravery under the fire of the enemy; Norge St. Domino was taken by storm, and the King was two whole days fighting under the walls of Placentia, although marshal Bellegarde, who ought to have passed the Mincio, had not executed that operation. Placentia was on the point of falling into the King's hands, when he received a letter from marshal Bellegarde, which informed him that he had just concluded an Armistice with the Viceroy, and requested the King to ratify it.

35. After having ratified the armistice, the King quitted the army, and retired to Bologna.

36. So soon as lord William Bentinck had quitted Tuscany, the King, who having conquered it from the enemy had a right to keep possession of it until a general peace, hastened to give it up to the Grand Duke on the 1st of May. On the 13th of the same month he gave up to the Austrian troops the three Legations, the duchy of Parma, and all the country which he had taken from the French army up to the right bank of the Po:—he gave up equally to the Pope all the states which his Holiness possessed previous to his exile: thereby multiplying the proofs of his disinterestedness and moderation.

37. Finally, the Treaty of Paris having put an end to the war, and the King finding himself, as the ally of Austria, at peace with France and with all the Allied Powers, by their accession to the Treaty of the 11th of January, and by his cooperation in the common cause, thought only of cultivating the friendship of those Powers, and of making, in the interior administration of his kingdom, such reforms as should ameliorate the condition of his subjects.

38. It appears from this hasty exposition of facts and circumstances:—1. That

the King broke with France at a time when that Power had still a preponderance in Italy:—2. That he did every thing which depended upon him to accede as early as possible to the coalition:—3. That he began to act against France before the Treaty signed with Austria was ratified by her, and without waiting for the accession of the other Powers:—4. That he conquered the whole of Italy as far as the Po from the French army:—5. That his army was several times engaged with the enemy, that he lost considerable numbers, and the King exposed his own person in support of the common cause:—6. That it was not in his power to obtain more decisive success, was to be attributed to—1. The unexpected delay in the ratification of his Treaty of Alliance with Austria—2. The extraordinary conduct of lord W. Bentinck—3. And finally, to the dilatory movements of marshal Bellegarde:—7. That the Treaty with Austria became common to the other Allied Powers, in virtue of the existing relations between them, which stipulated that the ally of one should be the ally of all the others:—8. That England, besides the general engagement arising out of that Convention, specially acceded to the Treaty concluded between the Courts of Vienna and Naples, by virtue of the official declaration of the 1st of April, made by lord W. Bentinck, in the name, and by order of the British Government.—9. That the British Government confirmed its accession to that Treaty by the communications from lord Castlereagh to lord William Bentinck, of the 22d of January and the 3d of April, by that minister's offer to furnish 15,000 muskets to the Neapolitan Government, and by several declarations which he made to the King's plenipotentiaries accredited near the Allied Sovereigns.—10. That Russia not only resumed the relations of friendship which existed before the war between herself and Naples, but sent a plenipotentiary to the King, to conclude a Treaty of Alliance, which, however did not take place, owing to the changes which happened in France.—11. That the accession of the Allied Powers to the Treaty of the 11th of January is evidently and abundantly established, whether by the answer of their ministers to the French plenipotentiary at the conferences at Chatillon, or by the determination of the Powers to invite the King of Naples to accede to the Treaty of Alliance concluded between themselves at Chaumont the 1st of March 1814.—12. That the King gave the most convincing proof of his moderation in giving up Tuscany to the grand duke, the Legations and the countries situated on the right bank of the Po to the Austrian troops, and the Roman states to the Pope, before the general peace.—13. And that in short the King, in quality of ally to Austria, and the terms of the Treaty of Paris, being at peace with France, and still further by by the declaration of Louis 18, setting forth that he considered himself at peace with all the Powers of Christendom, it is evident that the political existence of the King of Naples, which before the war had been acknowledged by all the Powers of the continent, was strengthened by his Treaty of Alliance with Austria, by the accession of the other Allied Powers to that Treaty, particularly England, by his Majesty's effectual co-operation in the cause of the coalition, and, in a word, by the Treaty of Peace signed at Paris the 30th of May 1814.

It is not superfluous here to state, that besides the incontestable rights upon which the political existence of the King of Naples rests, he founds his strongest guarantee in the general homage of the Neapolitan nation, and in the devotedness and approved bravery of an army of 80,000 men, commanded by a great captain.

(Second Inclosure in No. 9.)—Translation.

Observations by General Count Nugent on the Paper entitled "Historical Memoir of the Political and Military Conduct of his Majesty the King of Naples, from the Battle of Leipzic to the Peace of Paris, of the 30th of March 1814."

Article 1 to 8.

The first eight Articles of the Memoir contain a statement of the circumstances and of the negociations that produced the Treaty with Austria.

It is indifferent whether it was by the battle of Leipzic or by any other arguments that the Allies succeeded in convincing Murat of the wisdom and moderation of their views; and that the Court of Vienna has witnessed the effects of the overtures which she had long before made.

The Allies having once entered into engagements with the King, were bound to fulfil those engagements, provided he also fulfilled the stipulations agreed to by him—but certainly, in case of failure on his part, such engagements entirely ceased.

The points for examination, therefore, are those whereby the Memoir attempts to prove that his military operations corresponded with his promises, and that he has acted in conformity with the stipulations entered into with Austria, and to the views of the other Powers.

Article 9.—The article treats of the first operations of Murat. It may be right to observe, that at this period almost the whole of the enemy's forces in Italy were concentrated on the Adige and the Mincio.

General count Nugent had disembarked in the Lower Ferrara, occupied Commachio, Ravenna, and the mouths of all the rivers, and carried on his operations in the rear of the enemy.

He had just taken Forli, and intended continuing his operations against Bologna, when accounts were received of the approach of the Neapolitan army; which advanced as allies of the enemy. It was received every where with rejoicing.

The whole of the enemy's force in this country consisted of 2,000 men at Ancona, and very weak garrisons at Civita Vecchia, the castle of St. Angelo, and Leghorn. One Neapolitan column marched by Rome and Florence, to Bologna; another by Ancona and Rimini. In all these places the Neapolitan troops and those of the enemy acted together, and at Ferrara a Neapolitan General even took the command of them.

They attempted to force general Nugent to evacuate Forli; but he maintained this post, in order to observe the Neapolitans, who continued to show a hostile appearance;—the alliance indeed was not at that time concluded.

This merely serves to show in what manner Murat conquered the country as far as the Po, which he occupied as a friend and without striking a blow. Had the Neapolitan army remained stationary, two Austrian battalions and a couple of squadrons would have been sufficient to have cleared the whole country, the disposition of Tuscany and of the Romagna being known. The approach of the Neapolitan army kept these countries from rising; they would have furnished considerable military resources. But the most prejudicial consequence of the doubtful conduct of the Neapolitan army was, that it affected the operations of the Austrian army, which had just repulsed the Viceroy beyond the Adige, and compelled it to halt until it should be decided whether the Neapolitans were friends or foes. If Murat conquered, as he is pleased to assert, the country as far as the Po, it was from the Allies, and not from the enemy; and it is evident that the cause of the fall of these countries was their being destitute of troops, whom the enemy was employing elsewhere. It is therefore where the enemy's forces were posted—that is to say, in France and on the Mincio, &c. &c. that these provinces were conquered, and not by Murat's army, which came up in small detachments and by regular stations, till they reached the Po, without firing a single shot, and marching precisely as in times of profound peace.

Article 10.—The 10th Article cites a proclamation, as though words were proofs, and could stand instead of deeds.

Article 11.—In the 11th Article it is a mistake to speak of a Convention of the 7th of February between the generals Livron and Nugent—this Convention merely determined what districts should be administered by each army, according to a line drawn from the sea to the summit of the Apennines. General Nugent would not extend it farther lest he should cramp the operations of lord William Bentinck, who was to land on the coast of the Mediterranean, and whose line of operations was between that coast and the summit of the Apennines.

Articles 12, 13, 14.—These Articles contain the diplomatic transactions which brought about the Treaty with Austria, the modifications which this Power introduced into it, and the reasons which prevented England from acceding to it in form. Murat having accepted the modifications, the Treaty was in effect concluded, even without formal ratification, especially if, as he said, he relied most implicitly on the good faith of the Cabinets. Besides, the object of the alliance between Austria and him being to increase exertions in the decisive moment, it was agreed that he should act instantly, without waiting for any other ratification.

We come at length to the military operations.———Article 15.—The 15th Article quotes the passage in a letter from marshal Bellegarde, which states his intentions and the effect produced by the Neapolitan army; but nothing is mentioned of the plan proposed by the marshal, which was, that the Neapolitan army should march, without halting, upon Plaisance with general Nugent's division, and afterwards upon Alexandria, whilst the Austrian army should carry on operations on the right bank of the Po, which Murat promised. We shall presently see how it was fulfilled.

Article 16.—If, according to article 16, Murat pushed forward only sixteen battalions, and 1,500 horse, it was his own fault, and a manifest infraction of the Treaty. The fortresses of Ancona, Rome, Civita Vecchia, and Leghorn, were the pretext for leaving behind 18,000 men, the third of whom would have been more than sufficient; the real object was to have the command of the country, to draw every possible resource from it, and at the same time to be able to say that he was too weak to act.

Art. 17.—Immediately after the Convention of the 7th February, general Nugent began his march from Bologna to co-operate in carrying the plan of the campaign into effect; he marched upon Modena and Reggio, but when his advanced guard wished to pass the Enza, the Neapolitan general, who commanded at Reggio, declared he had orders to prevent the passage. The declaration that force would be resorted to, did not remove the obstacle until after a considerable loss of time. This conduct could not but create suspicions as to the sincerity of the new Ally, since not only he did not himself act as he had promised the marshal, but he endeavoured to prevent general Nugent from acting. It was soon ascertained that Murat had promised not to commence hostilities without giving the enemy previous notice, who was consequently enabled to direct the whole of his force against the marshal.

In this manner did King Murat *support* the movements of Nugent's division, and *hasten to contribute* to the success of the Austrian army. The Viceroy, who knew either directly or by the numerous officers who were every day passing from one head-quarters to the other, that he had little to apprehend from Murat, stopped his retrograde movement, and opposed the marshal with all his forces. King Murat could not, therefore, be surprised at the contents of a letter which he received from the marshal, dated the 27th February. A single glance at the map will be sufficient to show that it is not in cantoning his army at Bologna, Modena, and Reggio, that he could fulfil his engagements; this, however, was the whole that he did.

All that is said in the Memoir, of detachments to the right and left, is of no consequence. The detachments to Tornuovo and Berzetto were two marches in the rear of the Austrian posts: as to those on the right, we shall presently see that they only covered that flank where it was not attacked. General Nugent, perceiving the necessity of effecting a diversion, had left King Murat there, and had marched upon Plaisance with his single division. After a brilliant action the enemy was driven into the town and his communication cut off. He was on the point of being attacked there, when the King directed general Nugent to fall back, and sent count Mier to him for that purpose. He was obeyed with regret.

In the Memoir it is stated that general Nugent ought even to have retreated behind the Enza. Shortly after, Murat takes merit to himself for the passage of the Po. This is a contradiction, because Sacca, where the passage was effected, is in front of the Enza; and that by retiring behind that river the passage could not have taken place. The fact is, that general Nugent fixed upon the point of Sacca; that Murat agreed to it, and sent him marines of his guard; that he effected the passage with celerity, and detached baron d'Aspre to the other bank, who pushed on with boldness and prudence.

There is a mistake in the Memoir, that the King directed baron d'Aspre to pass after the bridge was made. General Nugent sent over this detachment in boats previously in order to protect the construction of the bridge; the surprise of Casal Maggiore by baron d'Aspre, with a single Austrian company, was an affair of the moment, and wholly unpremeditated. These are circumstances which King Murat could not know, being at the time at too great a distance. The bridge was constructed by the marines of the Neapolitan guard; the *tête-de-pont* on the other bank by Austrian pioneers, under direction of captain Teyter of the engineers. Two Neapolitan companies passed the river with the Austrians. They behaved admirably, as well as the marines. The Neapolitan troops are free from reproach. At this period there was one Neapolitan battalion, and one squadron with Nugent's division; the rest of the army was far in the rear with the King. The distance from the head-quarters produced serious inconvenience. The movement of general Grenier upon Plaisance was in consequence of the march of general Nugent against that city, as the date will prove. In calling to recollection that Murat sought to prevent that march, one is astonished that he should endeavour to attribute to himself the merit of the measure, and to have weakened the forces before the marshal. We see that up to the present moment (the difficulties he threw in the way excepted), the effect was the same as if Murat had not come up;—but the moment was come when he must either act or betray his engagements. General Grenier had upon the right bank of the Po about 20,000 men. Nugent's division, with the Neapolitan forces, amounted at least to the same number. Surely it was not requiring too much to expect that an equal force of the enemy should be kept *constantly* on the alert. King Murat, on the contrary, considered it quite sufficient to show, for some days, an appearance of engaging an equal force, and on its near approach to retreat in order that the marshal might once more have the whole of the enemy's force to contend with. For by falling back on the Secchia or on the Tanaro, as was the King's intention, the bridge of Borgo-forte became open, and general Grenier might rejoin the Viceroy. This conduct of King Murat was the more prejudicial on account of the position of the marshal, which was between four fortresses, and required twice the amount of their garrisons to blockade them. The least advance of the marshal would produce a change to his disadvantage in their respective forces; and if after some days, whilst the Viceroy avoided an engagement, general Grenier should return, the situation of the marshal would become worse than ever. From the moment that general Grenier's movement was decided, there was no longer the smallest risk in sending a strong detachment by Borgo-forte. Murat might therefore join general Nugent, and beat Grenier. He could then pass the Po at Sacca; and the Viceroy, separated from Grenier, and attacked in his rear, would have been lost. By the retreat, all these advantages were lost; the bridge on the Po was lost; Borgo-forte was open to the enemy, who was relieved from all anxiety.

For these reasons general Nugent *obstinately persisted* in not retreating, and happy would it have been had King Murat possessed a little of his obstinacy. General Nugent only required the re-union of the division Caracosa to give battle; Murat promised it; but afterwards forbade the division to march, notwithstanding the eagerness of the troops. In the mean time, the enemy advanced upon Parma. General Nugent resolved not to retire but in the last extremity, hoping that Murat would at last act, and would not put himself in the wrong, by losing a position which offered such various advantages. Besides he risked nothing, being able to retire by Guastalla. This line of retreat was pointed out by Murat himself, who had given orders in consequence to major d'Aspré, and to the detachments on the Lower Taro, directing them to stretch along the Po towards Guastalla. General Nugent resolved to march thither himself, when he learnt with surprise, that a couple of thousand men from Borgo-forte had occupied Guastalla, which was abandoned by the Neapolitans: in this manner it was that Murat covered the right flank of the Austrians; whilst general Nugent had to oppose 20,000 men, the King with all his army could not make head against 3,000.

It is easy to conceive the ideas which this conduct, to say the least of it, not honourable, necessarily created amongst the Austrians. The first consequence was, general Nugent was compelled to form his line of march upon Reggio, and to send orders to the detachments on the Po, to do the like, by marching on their left upon Parma, the only road which remained open. In order to give them time for this march, he was compelled to remain in the neighbourhood of Parma, which gave rise to a sanguinary engagement against a force more than quadruple, and which certainly does less honour to the *prudence* of King Murat than to the obstinacy of general Nugent. The former had at this moment all his forces at Reggio and Modena, within a march of Guastalla, so that the whole of this transaction cannot be explained in a military manner. General Nugent retreated upon Reggio, and the day after, partly upon Rubiera, and partly upon Modena. It is incorrect that the two first Neapolitan divisions stopped the enemy; they did not even come within sight of them, and the rear-guard of general Nugent remained in the presence of the enemy. Murat's intention was to get behind the Tanaro, if the enemy had advanced; but the latter did not push his main body beyond Reggio, whence two divisions marched by Guastalla and Borgo-forte, to join the army of the Viceroy, only one division, consisting of 8,000 men, under general Sevaroli, remaining at Reggio.

This was a favourable occasion for King Murat to have the appearance of doing something at very little expense. Nugent's division pushed forward on the 6th of March, on the three roads which led towards the enemy, and Stahremberg's brigade, of the same division, supported by a Neapolitan battalion, defeated the feeble advanced guard of the enemy. General Nugent made the dispositions for attacking the enemy at day-break; but during the night he received orders from Modena, where Murat had gone, not to attack, and that his Majesty would arrive at 12 o'clock on the 7th to reconnoitre the enemy, and give his orders. General Nugent, perceiving that the enemy would thereby have time to retire, or to take up better positions, did not think it right to obey. He ordered general Stahremberg and Gober, and colonel Garenda to put themselves immediately in motion, and began the attack at day-break. The Neapolitans seeing Nugent's division on the march, did the same, and supported them gallantly. The first position was carried by the regiment Benjofsky, the English, and the landwehr of the Archduke Charles: the second by general Pepe, with two Neapolitan battalions. King Murat arrived at mid-day, when the affair was over, and the enemy were surrounded in Reggio. Murat wished to make proposals to the enemy to retire unmolested, when the intelligence came that we occupied the Parma road, and that the enemy was entirely cut off. Notwithstanding, Murat allowed them to escape, and we could not follow them; so that they made their retreat without risk, although we were three times their strength. The troops were indignant to see the enemy escape, and attributed it to causes by no means honourable to the King. Without entering into these mysterious questions, it is evident by this recital that the *impetuosity* which the Memoir attributes to the King did not exist, and that the battle of Reggio, on which he so much prides himself, was fought by general Nugent, supported by the Neapolitan generals, during his absence, and against his express order. He had no other share in this action than in preventing the consequences which ought to have resulted from it, and he was suspected of having designedly spared the enemy.

There are numerous errors at the end of this article; as for instance, that the enemy was stronger, and that general Grenier, with several thousand men, could alone act against Borgo-forte, the remainder of his corps being obliged to retire upon Parma. General Grenier was not in the affair, but was at the time at Mantua. There was only one division, and this division alone was employed during the rest of the campaign; that is to say, nearly one fourth of the united forces of the Neapolitans and of Nugent's division. The same effect would have been produced by Nugent's division alone. From this we may judge of the good effect of the self-declared co-operations of this Ally, and the degree of justice of the assertion at the commencement of the 17th article, that the dispositions of the King were carried into effect with *promptitude, energy,* and according to the *true principles of war!!!* One may also form an opinion upon the accusations against marshal Bellegarde, to whom it is wished to attribute the blame of the inactivity of which Murat was the cause. It was the duty of the latter to put himself sufficiently in advance to have drawn upon himself the attention of part at least of the enemy's forces; instead of which he remained at such a distance that he was of no use. The marshal had the whole of the enemy's force opposed to him, supported by the fortresses. There is yet another consideration: the conduct of Murat must be attributed either to want of skill, or to a cause which one would be sorry to name; his former military reputation leads to presume that it was the latter, and leads one to put one-self on our guard against so suspicious an ally.

Articles 18, 19, 20, and 21.—The 18th Article relates to the landing of lord W. Bentinck near Leghorn. The two following contain observations of little consequence as to his operations, and propositions of little importance. Lord Bentinck did not understand the conduct of Murat, and repaired in person to Reggio. It is necessary to observe that lord Bentinck had not transports for more than half of the troops which he afterwards landed at Leghorn; he sent his transports for the remainder, in order to march with his whole force upon Genoa; it would have been imprudent to have attacked this place with part of his forces, or to have landed a part too near the enemy before the arrival of the remainder. The conduct of Murat was not calculated to inspire confidence in lord Bentinck, who wished, by occupying Tuscany, to secure to its lawful sovereign a part of the country.

Article 22.—Contains pretended reasons against this demand; amongst others, that the country was conquered by his arms. One has seen above how ridiculous this idea of conquest is. In fact, Murat wished to continue to enrich himself by Tuscany, as he had done by the other countries which he occupied, all the resources of which he had made use of. Lord Bentinck rejected the proposal of holding any thing as under the protection of Murat—whose presence in Tuscany was solely attributable to the successes of the Allies, and not to his own promises. Moreover, he would not sanction by such an act the revolting oppression that Murat exercised over the country. He considered that the conduct of Murat would have been less suspicious, had he directed his forces against the enemy, instead of oppressing the country. He likewise declared that he would not leave his own troops there, who were to act against the enemy; but that troops should be raised for the Grand Duke, who would maintain internal tranquillity. In general lord Bentinck was astonished that Murat should have the largest portion of his troops in his rear, and that the rest should be so far from the operations at Bologna, Modena and Reggio, protected by the Austrians, and employed, not in battles and sieges, but in parade and exercise.

Articles 24, 25, 26, 27, 28, 29, 30, 31, and 32.—The Articles from 24 to 29, contain various diplomatic transactions, to endeavour to prove that the Allies are bound by promises. It is, however, easy to perceive, that the whole of this is conditional, and goes for nothing, if Murat has not fulfilled his engagements. One has seen what he has done for this object up to the present time. His conduct after the affair of Reggio was not more correct; the activity of general Nugent had hampered him till then. He found means to render it ineffectual by separating his division, partly at Parma, and partly at Guastalla. He appointed a Neapolitan brigade for general Nugent, but gave it orders not to act. An occasion presented itself for attacking the enemy on the Taro—the Neapolitan general refused to do it. The whole of the enemy's army was employed against marshal Bellegarde, with the exception of the single division opposed to general Nugent. The Neapolitan army absolutely did nothing but consume provisions, attend parades, and make trifling movements without object. Murat, in consequence of the reiterated complaints of the Marshal, promised to cross the Po near Cassal Maggiore; but he made his preparations and his reconnoiterings with such marked publicity, that the enemy immediately perceived his intention, and made disposition for preventing him. He then directed general Nugent to effect it, and gave up the plan when the latter was desirous to carry it into effect. Thus was a month lost after the affair of Reggio.

Article 33.—There is a mistake in Article 33, in saying that it was agreed at Reveré, that lord Bentinck should evacuate Tuscany, and march upon Genoa. This general, seeing the conduct of Murat, resolved not to make his own operations depend upon those of the King. He directed the troops which he had at Leghorn upon Spezzia, which was carried whilst the 2d and 3d divisions sailed directly for Genoa. The first of April he continued his operations upon Genoa with striking success. The conference of Reveré took place on the 7th, and could not fix an operation already executed. Marshal Bellegarde insisted that Nugent's division should be re-united at Parma, and authorized that general to push forward, in concert with lord Bentinck, whatever might be the conduct of Murat. They no longer trusted in the promises of the latter, and then determined upon securing the means of acting without him.

Article 34.—The article 34 is almost entirely false. The passage of the Taro the 13th of April was not effected by the Neapolitan army, however desirous it may have been of doing it, but by Nugent's division in three columns, under generals Glober, Stahremberg and Scnitzer. It was impossible to prevent three Neapolitan battalions, with their general at their head, to follow the Austrians, and they took part in the affair of Borgo San Domino; these and a squadron of cavalry were the only Neapolitan troops which saw the enemy, although the whole army desired it. Murat never exposed himself, for on the banks of the river there was no engagement; the actions were considerably in advance, and he was not present—neither for two days nor two hours. Marshal Bellegarde, in pursuance of the arrangements made, was not to pass the Mincio until the operations on the right bank of the Po should have produced their effect, by attracting the attention of a part of the enemy, so that he should not have the whole of the enemy's army to engage in the strongest position possible. The fact is, that Murat stopped the three above-mentioned battalions.—The following day, Nugent's division *alone* forced the Nura, after a very warm action, and on the 15th the same division *alone* forced the position of St. Lazaro, and drove the enemy into Plaisance, whilst its advanced guard, moving along the mountains, came into communication with the detachments of lord William Bentinck's corps by Tortona. The loss of the Austrians, was from 5 to 600 men, that of the Neapolitans wholly inconsiderable.

Article 35, 36, and 37.—In the 36th Article mention is again made of the rights of conquest upon Tuscany, and the generosity of the King is quoted for renouncing them: the absurdity of these pretensions has already been shown.

Article 38.—Recapitulation.

In order to reply to this recapitulation, it is sufficient briefly to state what has been remarked above—the result is:—first, that Murat, after long time wavering and hesitating, did at last appear to break with France—when she had the worst of it, and when her Italian army was driven back from the Saave to the farther side of the Adige and the Po. Secondly, that he delayed his accession as long as he had the smallest hope that Buonaparté would gain the ascendancy. Thirdly, that he greatly injured the operations of the Allies—1st, by coming up under a hostile appearance before the Treaty; 2dly, when the Treaty was made, not only by remaining wholly inactive until the arrival of the ratification, but by holding out false promises, by throwing obstacles in the way of the operations of the Emperor's troops, and by leaving to the enemy the important post of Guastalla in the rear of Nugent's division, when this division was attacked in front by a superior force. In fine, by retreating before an inferior force, instead of engaging it, as good faith required—and thus occupying the attention of part of the enemy's forces. Thirdly, in doing just as little after the ratification; the affair of Reggio having taken place against his positive orders—in preventing the conseqeunces of this affair, by allowing the enemy to escape, and not permitting him to be pressed in such a manner as to alarm him, or to draw his serious attention. The enemy showed in what light he held him, by leaving on the right bank of the Po a force only proportionate to Nugent's division—thus counting King Murat for nothing—as he well might. Fourthly, that he profited by the total want of troops in Lower Italy, occasioned by the success of the Allies, to occupy that country, without firing a shot, or the loss of a man; this he called *his conquest*—loading these provinces with imposts and vexations of every description, and treating it as if it was to remain to him in perpetuity.

5thly. That his army was well disposed to fight, and that it was with great difficulty he could prevent them. Four battalions did act at the affair of Reggio; but, as we have before seen, contrary to his wishes. There were three battalions at the affair of Taro, one of which was engaged, and a squadron of cavalry was with Nugent's division; with these exceptions, there was only some skirmishes in which his troops took part. Their loss was inconsiderable, and did not amount in the whole to 300 men killed and wounded. A couple of Austrian battalions and squadrons would have done as much as the Neapolitan army; but the mischief which this self-declared co-operation has occasioned is incalculable. This must not, however, be attributed to the troops, who were perfectly brave and well disposed, as well as their chiefs. Murat did not expose his person.

6thly. That the reasons which he assigns for his inactivity are without foundation, and in contradiction to what he so often asserts of his blind confidence in the good faith of the Allies; for, first, if the delay of the ratifications was a reason, why did he not act when they arrived?—Secondly, why did he take the command in order to prevent the Austrian troops from acting, and to deceive them in the moment of danger?—Thirdly, there was nothing extraordinary in the conduct of lord William Bentinck, unless it be his not placing confidence where it was not deserved.—Fourthly, what is attributed to marshal Bellegarde recoils upon Murat, who was the cause of it.

7thly. That for all the above-mentioned reasons King Murat has not fulfilled his engagements, and consequently that the Treaty with Austria is just as little binding upon her as upon the other Powers.

8 and 9thly. All that is said respecting the adhesion of England is on this account without foundation.

10 and 11thly. The same may be said of the pretended adhesion of the other Powers.

12 and 13thly. Do not require refutation.

No. 10. The Neapolitan Ministers to Viscount Castlereagh.—*(Translation.)*

Vienna, 29th December 1814.

While the plenipotentiaries of the European Powers, united at Vienna, in virtue of the Treaty of Paris of the 30th of May last, are occupied with the means of cementing the state of peace, happily re-established in Europe, by the magnanimous efforts of the coalition, his Majesty the King of Naples, having become a party to it, would feel great concern at not finding confirmed, likewise, by a solemn act, the engagements and relations of amity and commerce, subsisting between the Crowns of England and of Naples, to the great benefit of the two kingdoms, and of their respective subjects.

Ever since his accession to the throne, his Majesty the King of Naples has been aware of the importance and the utility of an intimate union between his kingdom and Great Britain; accordingly, when the Austrian Cabinet, after the battle of Leipzic, proposed to him, in its own name, as well as on the part of the British Government, to unite himself to the Coalesced Powers, with a view of re-establishing in Europe a general peace, his Majesty the King of Naples hesitated not a moment to direct his minister plenipotentiary at the Court of Vienna, to enter into a negociation with all the Allies respecting his accession to the coalition; and he manifested, in the most unequivocal manner, his anxious desire of a connexion with England in revoking the French decrees and tariffs, hostile to the British commerce, by an ordinance of the 11th of November 1813, at which period France was still in possession of all her preponderance in Italy, and might easily have taken vengeance on the kingdom of Naples.

His Neapolitan Majesty, at the same time, sent the marquis de St. Elia to Sicily, to acquaint his royal highness the Prince Regent of England, through the medium of his excellency lord William Bentinck, of his desire to conclude a treaty with his Britannic Majesty. The marquis was authorized to go to England, and was furnished with the necessary full powers for opening a direct negociation with the English ministry. But that mission produced no result, owing to the difficulties thrown in the way of it by lord Bentinck. Still, however, it evinced not the less the King's anxious wish of forming a connexion with England.

In the mean time, the Austrian Cabinet, sensible of the extreme importance of preventing the powerful diversion which his Majesty the King of Naples might make from the Alps, by uniting his forces with those of France, dispatched a messenger from Smalkalden to Naples, with the declaration, that both Austria and England were prepared to sign, conjointly with his Neapolitan Majesty, a Treaty of Alliance against France, to which all the Coalesced Powers would accede; and that lord Aberdeen, the English ambassador at the Court of Vienna, was accordingly furnished with the necessary full powers from his royal highness the Prince Regent, and had besides in his possession, King Ferdinand of Sicily's formal renunciation of his claims to the kingdom of Naples.

His Neapolitan Majesty, by the same courier, sent to his minister plenipotentiary at the Court of Vienna, full powers for signing the Treaty that originated with Austria, in conjunction with England. A few days after, on the 30th December 1813, there arrived at Naples the Austrian general count de Niepperg, with full powers for concluding and signing the Treaty of Alliance between the Courts of Naples and of Vienna. That plenipotentiary was told, that the King's intention was to conclude, at once the alliance with Austria and with England, agreeably to the proposal made to him. But count Niepperg declared, that the Treaty which he had it in charge to sign, would be obligatory on England and the other coalesced Powers, they having agreed among themselves, that the ally of one should be the ally of all the rest; and that, moreover, he was charged with orders from the English Government, for lord Bentinck to desist from hostilities on the part of Great Britain against the kingdom of Naples.

Tranquillized by this declaration, and willing to yield to the desire expressed by the coalesced Powers, of commencing, as soon as possible, military operations in Italy, his Majesty the King of Naples determined to sign, on the 11th of January 1814, a Treaty of Alliance with Austria, by which that Power, in guaranteeing to him the sovereignty of the kingdom of Naples, engaged to procure for him the same guarantee from England and from all the Allied Powers, and to ensure to his Neapolitan Majesty an augmentation of territory, capable of giving his kingdom a good military frontier. The Treaty was communicated by count Niepperg to his excellency lord Bentinck, minister plenipotentiary and commander in chief of his Britannic Majesty's forces in the Mediterranean, who came himself to Naples, and on the 3d of February 1814 signed, with the minister for foreign affairs of his Majesty the King of Naples, a Convention for an armistice.

By that Convention was stipulated, not merely an armistice, but what was equivalent to a state of peace, since it was not only agreed that hostilities should entirely cease between the two Powers, but it was declared, that all their harbours should be open to the commerce and to the flag of the two nations, so that England positively recognized the Neapolitan Government and flag. It was also stipulated, that the generals of the Austrian, English, and Neapolitan armies, should agree upon some plan of operations, according to which the armies united for the same cause, should act in Italy, which condition established a real alliance between England and the kingdom of Naples. And this alliance has existed in point of fact, because the English troops have fought along with those of Naples, under the orders of the King; the English generals have concerted their operations with his Neapolitan Majesty, to whom even lord Castlereagh, on the part of his Government, offered 150,000 muskets, upon a demand addressed to him by the Neapolitan plenipotentiary accredited to the Allied Powers.

His Majesty the King of Naples had already marched his army into the territory of the French empire, and of the kingdom of Italy; he had issued orders for besieging the Fort of St. Angelo, as well as Ancona and Civita Vecchia; and he had forced the Viceroy, by menacing his rear, to abandon the line of the Adige, and to retire behind the Mincio, when he was informed, by a dispatch from the Austrian Cabinet, that it had not been possible to ratify the Treaty of the 11th of January, in as much as his excellency lord Castlereagh, after examining it, had, with his own hand, made some notes and alterations, with a view of giving it that form in which England could find no difficulty of accepting it, so that if his Neapolitan Majesty accepted the Treaty with the modifications made in concurrence with England, the latter Power would likewise accept it.

The accession of England to the Treaty, thus altered, was confirmed by a note of the Austrian plenipotentiary of the 10th of February, and by a dispatch from his excellency lord Castlereagh to lord Bentinck, dated Basle, the 22d of January, by which the former desired him, in consideration of the Treaty of Alliance concluded between the Courts of Vienna and of Naples, and to which England had agreed, to cease hostilities against the kingdom of Naples, on the part of Great Britain, and to take proper measures for engaging the Court of Sicily to pursue the same course. Although the King of Naples could not fail being surprised at this unforeseen and unusual incident, he, nevertheless, accepted all the modifications proposed by his excellency lord Castlereagh, which chiefly respected England relatively to her engagements with the Court of Sicily; and he ratified the Treaty, in the confident expectation that England would accede to it afterwards; or his Neapolitan Majesty might have dispensed with accepting the modifications proposed by the English minister, in which Austria took no direct interest. The King, therefore, anticipating England's accession to his Treaty with Austria, pursued his military operations. His Neapolitan troops, united to those of Austria and England, displayed the most brilliant valour in several combats, the details of which are too well known to need being repeated here. It is sufficient to observe, that field-marshal count de Bellegarde and lord William Bentinck addressed, on that account, congratulations to the King, who on several occasions exposed his own person for the cause of the Coalition.

During the course of that campaign, which terminated in the armistice concluded between the Viceroy and the Allies in Italy, and at the very moment that the Neapolitan army was on the point of storming Placentia, after having reduced Modena, Reggio, Guastalla and Parma, his Majesty the King of Naples had received from his Majesty the Emperor of Austria a letter, written with his own hand, which ratified the Treaty of the 11th of January. But he had been informed, at the same time, that the accession promised by England had not taken place, his excellency lord Castlereagh being desirous to defer the signature of a definitive treaty between Great Britain and the kingdom of Naples, to be enabled to lay it before the British Parliament along with some arrangement, made with the King of Sicily. His excellency, however, had the goodness to declare, verbally, to the Neapolitan plenipotentiary accredited to the Coalesced Powers, that, if the British Government could not, from sentiments of delicacy towards the Sicilian Court, proceed at present to the conclusion of a treaty with the King of Naples, his Neapolitan Majesty might repose sufficient confidence in the honour of England, and in the word of an English minister, to entertain no doubt but that the British Government would be anxious to conclude the Treaty as soon as it should be able so to do, without prejudice to the engagements contracted with the Court of Sicily. His excellency lord Castlereagh added, that the British minister had not hestitated to conclude an armistice with the King of Naples, as he was furnished with powers to that effect; that the English Government had given its consent to the engagements contracted by Austria with his Neapolitan Majesty, and that it had even made strong representations to obtain from King Ferdinand of Sicily, the renunciation of his pretensions to the kingdom of Naples; but that if he declined either to renounce it, or to accept of any compensation, his Neapolitan Majesty did not, on that account, fear any thing from England,—that power contenting itself with having used its utmost exertions to procure for the Court of Sicily a compensation. Finally, his excellency observed, that the King of Naples might be assured, that, if the British Government had not consented to recognize the dynasty now reigning in Naples, it would have either opposed the engagements entered into by Austria with the King, or would at least have protested against them; but that, on the contrary, having been called upon by the Allies, to declare, whether it concurred in the alliance with his Neapolitan Majesty, the English Government had answered in the affirmative.

To give to these verbal declarations more force and authority, and not to leave the King of Naples without a formal security, as to the dispositions of the British Government with regard to him, his excellency lord Castlereagh transmitted, through the medium of lord Bentinck, to his Neapolitan Majesty's minister for Foreign Affairs, an official note, dated the 1st of April 1814, in which he declared, that the British Government assured to the King of Naples, its adherence to the Treaty concluded between him and Austria; that it consented to the augmentation of territory promised him by way of indemnity; and that, if the British Government did not immediately sign a special treaty with his Neapolitan Majesty, it was to be attributed solely to the sentiments of delicacy which obliged it to conduct this negociation simultaneously with that of an indemnity for King Ferdinand of Sicily.

His excellency lord Castlereagh, moreover, in a dispatch addressed to lord William Bentinck, and dated at Dijon the 3d of April, charged that minister to disavow, in the name of the British Government, a proclamation issued by the Court of Sicily, announcing its pretensions to the kingdom of Naples, and circulated by the Sicilian troops which had landed at Leghorn; and declared also, that it was the intention of the English Government to negociate at one and the same time, the Treaty with the King of Naples, and an arrangement of indemnity for King Ferdinand of Sicily; but that, if the Sicilian Government showed any disposition of opposing its views, the British Government, having framed its armistice upon the principles of the Treaty concluded between the Courts of Naples and of Vienna, would deem itself absolved from every regard to the interests of the Court of Sicily, and would even judge itself compelled immediately to form a Treaty with the King of Naples. That intimation, however, did not produce the effect which the British Government had reason to expect, because the Sicilian Court has constantly opposed its views, in the strongest manner, and has even formally protested against any proposal of indemnity; so that the supposition in lord Castlereagh's dispatch has been realised by the event.—His Majesty the King of Naples was also warranted in considering, as a proof of England's adherence to his Treaty of the 11th of January with Austria, the invitation which he received, through the agency of the Cabinet of Vienna, of acceding to the alliance concluded the 1st of March at Chaumont, between the four principal Coalesced Powers.

Besides, the 14th article of that Act, purporting that the Treaties concluded between the four contracting Powers, shall not affect the engagements into which they might have entered with other states, or prevent them from contracting fresh ones with other Powers, in order to the attainment of the same beneficial object, it is very clear that the Treaty of the 11th of January, existing between the Courts of Naples and of Vienna, which was well known on the 1st of March, having been stipulated with the consent of the three other Coalesced Powers, and particularly of England, comes within the guarantee contained in the article above mentioned.

In fact the Allied Powers have never called in question the validity of the engagements into which Austria entered with the King of Naples; and it is well known, that, when the French plenipotentiary, at the conferences at Chatillon, presented a *contre-projet* to the ultimatum of the Allies, by which France attempted to dispose of almost the whole of Italy, the plenipotentiaries of the Coalesced Powers replied to him, that France had no right to interfere in the affairs of Italy, whose fate was already fixed, according to the agreements and engagements entered into by the Coalesced Powers.

Considering these stipulations, and these solemn promises, it would be injurious to the noble and generous character of his royal highness the Prince Regent of England, and to the honour of his ministers and of the English nation, to suppose that the dispositions of the British Government towards the King of Naples could be altered, without any provocation on the part of the Neapolitan Government, and for the sole reason, that the object which made the alliance of the King of Naples desirable had been attained.

His Majesty the King of Naples has been very useful to the Coalition in general, in detaching himself from France at the moment when he might have united his troops with those of the French army in Italy, and might have acted upon the rear of the Allied army. He has been so by the direct operations which have insured all Italy to the Coalition. And he has proved still more useful to England, having enabled her, by his state of alliance towards her, to dispose of her troops in Sicily, and to employ them beneficially in the expedition to Genoa, and even in America; neither has that alliance cost her the smallest subsidy, his Neapolitan Majesty having, with his own means, reduced all the countries of Southern Italy, which he afterwards restored to their former sovereigns, preserving only a small portion of territory conquered from the late kingdom of Italy, which portion was designed by the Allies themselves, to form the indemnity stipulated in favour of his Crown, by the Treaty of the 11th of last January.

On the other hand, what ally more safe, more useful, and more sincerely attached can England have, than King Joachim, whether from gratitude and his political system, or from the commercial advantages which he offers to the English nation?—It is very evident, that a sovereign of the family of the Bourbons on the throne of Naples, cannot suit England in any point of view. The British Government ought not to forget, that in 1762 it was obliged to send a squadron to Naples to prevent King Charles 3, from acceding to the Family Compact, which would be renewed, by the fact of the kingdom of Naples passing under the dominion of the Bourbons. Never ought England to forget the recent conduct of the Court of Sicily towards the British Government and nation, when compared with the protection, the particular favour, and the marked attention which English commerce and English subjects enjoy in the kingdom of Naples, and the facilities of every kind which the troops of his Britannic Majesty, stationed in the Ionian Islands, daily receive from the friendship of the Neapolitan Government.

Thus the laws of honour and the true interests of Great Britain concur to demonstrate both the duty and the utility of an intimate union between her and his Neapolitan Majesty.

In reference to these considerations, the undersigned ministers plenipotentiaries of his Majesty the King of Naples request his excellency lord Castlereagh, Secretary of State for Foreign Affairs of his Britannic Majesty, to be pleased to proceed to the speedy conclusion of a definitive Treaty of Peace between the two Crowns, capable of fixing for ever, their political relations and their commercial interests; so much the rather, as England has never, by any act, guaranteed the kingdom of Naples to King Ferdinand, while she has effectually done so with regard to King Joachim, by her adhesion to the Treaty of the 11th of January, subsisting between the Courts of Naples and of Vienna.

His Neapolitan Majesty flatters himself also, that the British Government, animated with the noble and generous desire of extinguishing every spark of dissension in Europe, will be pleased, in its wisdom, to devise some plan for bringing about an accommodation between the Courts of Naples and Sicily, his Neapolitan Majesty being prepared to concur in any means that may be proposed for procuring to the Court of Sicily a suitable indemnity out of those states, which being provisionally occupied, and neither apportioned nor promised by any treaty, are at the disposal of the Congress, and applicable to the arrangements intended with a view to the completion of the pacification of Europe.

The undersigned have the the honour to inform his excellency lord Castlereagh, that they have addressed the duplicate of the present note to his highness the Prince of Metternich, Minister of State for Conferences and Foreign Affairs of his Majesty the Emperor of Austria, to enable him to take such direct steps as are in conformity with the second secret article of the Treaty of the 11th of January 1814. They avail themselves, &c.

The Duke de CAMPOCHIARO.
The Prince de CARIATI.

No. 11.—Dispatch from Lord William Bentinck, to Viscount Castlereagh.

Florence, January 7, 1815.

My lord; I have the honour to acknowledge the receipt of your lordship's dispatch, dated December 10, 1814, inclosing a confidential paper of the duke of Campochiaro, with the remarks of a general officer thereupon, and requiring from me such comments as might assist the British Government in justly appreciating Murat's conduct through the period of the late campaign.—The messenger, owing to detention at Genoa, and foul winds, did not reach me till the

It is very difficult for me to answer as I could wish to your lordship's commands, because all the papers relating to my negociations with Murat, and to the late campaign, are in England. The opportunities I had of closely observing the whole of Murat's conduct, from the period of his return from Leipsic to the end of the war, enabled me to form, as I think, a tolerably clear conception of his character, his policy, and his good faith. I can state at once, and without hesitation, that his views and principles were totally at variance with those upon which he offered himself, and was accepted as the ally of the Coalesced Powers;—that he did not perform his engagements; and that, on the contrary, his conduct, although neutral and negative in its general character, was in its result much more beneficial to the enemy than to the common cause.

There can be no doubt, that all the advantages, contemplated in the alliance with Murat, by Austria and the Allies, would have been realized, if he had embarked honestly and cordially in the cause—but his policy was to save his crown, and to do this, he must always be on the side of the conqueror—his first agents were sent to me directly after his return from Leipsic. He then thought Napoleon's fortune desperate—his language was plain and sincere—he said, "Give me an armistice, and I will march with the whole of the army against the French—give me the friendship of England, and I care not for Austria or the rest of the world."

Subsequently, when Austria came to seek his alliance, he naturally discovered both his own importance and the uncertain issue of the contest. He then began to entertain views of aggrandizement, and by possessing himself of the whole of the South of Italy, he seemed to think he could render himself independent, whatever might be the event of the war.

It may be necessary here to say a word of the counsels by which he was surrounded. Your lordship already knows, that the courage of this officer in the field is no less remarkable than his indecision and uncertainty in the cabinet. This disposition, most unfortunately for him, was actively worked upon by two contending parties in his court and army, the one French and the other Neapolitan.—Murat's attachment was to France—in all his abuse of Buonaparté there was an evident feeling of fear and respect for him—He coveted above all the good opinion of the French army. His French advisers played upon these feelings, always magnified the successes of the French arms, and endeavoured to keep him in his alliance to their country. He was besides most anxious not to lose his French officers, who, he knew, would not stay with him from the moment his conduct assumed a decided aspect. The Neapolitans, counsellors, army and nation, were all against France, and were extremely desirous that Murat should join heartily in the cause.

His most attached friends regretted his indecision. Living as much with them as I did—declaring always my sentiments with frankness—never concealing my regret at the necessity of the alliance, but being once made, professing, what I always felt, a sincere desire that it might be productive of all the advantages to both parties which it stipulated, they seemed to consider me as their friend. They excused their master as well as they could, on the score of his old attachments and connexions, from which it was difficult for him to separate. They expressed their hope that I might succeed in determining his conduct. Both of these parties agreed in one sentiment, in that of Italian independence, and in the aggrandizement of their chief.—I have sometimes thought, when willing to see his conduct in the most favourable point of view, that he himself never knew on which side he was.

One of the conditions of the armistice made by me at Naples, stipulated, that a plan of operations should be arranged between the three Allied corps. In pursuance of this object, count Niepperg presented to me a *projet de campagne,* by which it was proposed that the Anglo-Sicilian troops should land at Leghorn, and operate in the *Rivière de Gênes,* drawing its subsistence from Tuscany. The Neapolitans were to act on the right, and the Austrians on the left bank of the Po, each maintaining itself in the countries they respectively occupied. I immediately agreed to it, and dispatched lieutenant-colonel Catinelli, in company with count Niepperg, to arrange definitively the plan, in co-operation with marshal Bellegarde and Murat. I returned to Sicily, and, in order to avoid all loss of time, I ordered the troops to proceed directly to Leghorn, and I appointed lieutenant-colonel Catinelli to meet me at Naples, from whence, upon my return from Palermo, I proceeded by land to Leghorn.

The Neapolitan army had in the mean time occupied the Roman and Tuscan states. Having followed the steps of this army, my own observations entirely confirm all that has been said in the "Paper of Remarks" upon the subject of these first military operations of the Neapolitan army, and upon the misapplication of the term "*Conquest,*" which has been so triumphantly used upon this occasion. The truth is, that every where there was an apparent concert between the French and Neapolitan authorities; there was no act of hostility on either side. The French garrisons were allowed quietly to evacuate all the fortresses, and to reinforce the Viceroy in the north of Italy. Nobody believed that Murat was at war with France. Murat could not do a better service to Napoleon, than by securing the quiet re-union of his scattered troops with the main army;—than by taking to himself, and from the Allied cause, the benefit of all the resources of the South of Italy;—than by weakening, by one half, the force he stipulated to bring into the field, upon the pretended necessity of occupying these conquered countries; nor is the occupation less worthy of remark. Here indeed the manner of a conqueror was assumed. The countries were occupied, as it were, in permanent possession. No allusion was made to the ancient sovereigns. The Neapolitan agents in the Roman states discouraged the idea of the Pope's return, and the principle of national union and independence was universally proclaimed. I will endeavour to collect all the papers and proclamations circulated by the Neapolitan authorities. I write from a recollection of the impression at the time, and I do not believe that I am wrong. I also concur in the correctness of the "Paper of Remarks," upon the subsequent operations of Murat, as detailed in his comments upon the 15th, 16th, and 17th Articles. I passed near ten days with the Austrian and Neapolitan corps, under the orders of Murat. All the officers agreed in the same statement. Nothing could be better than the spirit of the Neapolitan troops; I remember to have heard, and I believe the fact, though I have no proof of it, that so strong was the feeling that the corps of general Nugent, in the affair of Parma, had been sacrificed, that a representation in writing, signed by several Neapolitan general officers, was made to Murat upon the subject of this stain upon their military characters. General Nugent, if at Vienna, can probably give positive information upon this point.

I now come to the 18th Article, which has immediate reference to my own conduct, and to the operations of the Anglo-Sicilian force; and I must take the liberty of going into some detail, to expose the pretexts which are assumed from it, to excuse Murat's inactivity.

I have already said, that count Niepperg proposed to me a plan of operations, to which I agreed, and which being the only one that was at all practicable, I immediately proceeded to execute. I have also said, that connt Niepperg, with lieutenant-colonel Catinelli, went to the head-quarters of marshal Bellegarde and Murat, to obtain their concurrence to it. They proceeded first to Bologna, the Neapolitan head-quarters—Murat was unwell. He saw count Niepperg, but would not see lieutenant-colonel Catinelli; this latter officer waited in vain for two days for this honour; and not liking to lose any more time, he proceeded to Verona, the head-quarters of marshal Bellegarde, where he was soon after joined by count Niepperg. The Count stated, that he had not shown the *projet de campagne* to Murat, and as well as I recollect, the reason he assigned, was, that finding Murat in an ill humour, he feared that the proposal to take from him any part of Tuscany would make him less actively disposed. Count Bellegarde's answer, as well as I recollect, approved the operation upon Genoa, but was altogether silent on the question of Tuscany.

Lieutenant-colonel Catinelli, upon his return from Verona, saw Murat at Bologna, and talked the whole plan over. He objected to giving up the whole of Tuscany, but he made no difficulty of giving up Leghorn with an *arrondissement;* and added, that when I arrived, and that we could treat together, he had no doubt we should be agreed.

I arrived at Leghorn two or three days before the first division of the expedition.

In the Article 19, it is a matter of complaint, that the expedition, instead of going to Genoa, was directed to Leghorn, contrary to the opinion of the chiefs of both armies (count Bellegarde and Murat):—elsewhere he recommended the disembarkation in the Gulph of Spezia, and makes a merit of the offer of ten pieces of cannon and a regiment of cavalry to act with the British army in the Riviera di Genoa.

These affected grounds of complaint were made with the perfect knowledge that there were only transports sufficient for the conveyance of one half the expedition; that at Spezia there was no place of safety, where the first division could have waited the arrival of the second; that there were no means there of either feeding or equipping the army; and that Leghorn was in every point of view the only point of disembarkation and assembly. In proportion as Murat was really backward, it was necessary for him to make every display of activity and co-operation. Of this nature was the offer of a regiment of cavalry, and of a battery of cannon, to act in a country of mountains, where there is no carriage road, and the use of these arms is totally impracticable. Much better, I may remark, would it have been, if these troops had been with the main army, where his duty prescribed that every effort in his power should be made.

The same Article complains that no plan was agreed upon, as pointed out by the Armistice. I trust the preceding explanation has fully proved that the omission is in no respect imputable to me. With the same view of display, and the same disregard of fact, it is said that a Neapolitan general officer was sent to me with a proposal of conjoint operations, to which I returned no answer:—this officer did arrive, and the day following I proceeded in person to Murat's head-quarters to concert our future movements. When I represented to him (exclusively of the insuperable objection of leaving so entirely exposed our point of embarkation and our line of communication) the great inconvenience of uniting his and our Neapolitan troops, from whence nothing but discord and mutal complaint could arise, he at once admitted the validity of the remark. He complains also of the publication of a proclamation of the Court of Sicily, issued upon the disembarkation of the troops: the proclamation in question was an order of the day issued by the Hereditary Prince in Sicily to his own troops. The circulation of it in Leghorn was done without my knowledge. I admitted it at the time to be wrong, but the objection I had already made to the union of the troops of the same nation in each service, was a proof, that any project of seduction on my part was totally foreign to my intentions; and after this explanation I think the fact ought not to have been mentioned.

It is stated in the Duke of Campochiaro's Paper "que s'il (Murat) n'a pu "marcher à des succès plus décisifs, il "faut l'attribuer; 1, au retard inattendu "qu'ont éprouvé les ratifications de son "Traité d'Alliance avec l'Autriche;—2, "à la conduite extraordinaire de Lord "Bentinck."

With the first I have nothing to do. As to the second, which refers particularly to my demand of the occupation of Tuscany, or a part of it (for I offered to leave the extent of it to be decided by the Austrian minister), I will make this general reflection, that had Murat been really sincere and downright, his knowledge that he could expect no mercy from Buonaparté, would have made him embrace, with eagerness, any offer of assistance, and would have led him to consider no sacrifice too great, to obtain the British co-operation. Upon my arrival at Reggio, however, he refuses even to agree to the cession of Leghorn, which he had offered to lieutenant-colonel Catinelli. But by way of display he proposes—First, to submit the question to your lordship's decision. The immediate security and supply of the army was the question, and did not admit of reference.—Secondly, to give me the military command of Tuscany, which he administered. What advantage could I possibly derive from the command of troops that acknowledged a superior authority, and what objection was there not, to my making myself a party to his civil administration? Innumerable were the complaints of the inhabitants.—Thirdly, to supply the British army with provisions. Could I, with prudence, intrust the supply of the army acting in the mountains of Genoa, and entirely depending upon this source for its subsistence, to the will of a person whose bad faith was so notorious? Would such an arrangement have been consistent with the dignity of the British Government, or according with the usage of all the Allied Armies, whose conquests were in common and allotted for the general good?

I certainly did hold to Murat the language that his conduct, so unjustifiable and faithless, called for. But I made count Bellegarde the arbiter of the difference; and in a renewed conference at Bologna, in which I begged Sir Robert Wilson to act upon my part, and at which the Russian general Balacheff assisted, Murat still continuing firm in his refusal, I consented, in compliance with general Bellegarde's wish, to give up the claim, and expressed my intention immediately to leave Tuscany, and to act wherever I could with the greatest advantage.

Marshal Bellegarde, in my conversations with him, expressed his strong and full conviction of Murat's bad faith:—he admitted the entire reasonableness of my demand—he said, that the best thing for the Allies would be the return of Murat to Naples, and this proposition was to have been made to him by count Mier. That the Austrian and British troops together could act with much more effect. But he feared above all things Murat's declaration for France, and he preferred any alternative to that. I wholly disagreed with marshal Bellegarde. I believe Murat would have yielded to our jointly decided remonstrances;—but if he had not, I thought the sooner the question of his ill faith was settled the better. He did not serve us as a friend; if our fortune turned, he would cause our ruin as an enemy. It appeared to me, that the question could have been brought to an issue without any injury to the pending operations.

But whether I was right or wrong, the whole of this negociation occupied only about ten days, in which time there was no question of any moment; and it is clear that my extraordinary conduct could in no respect affect the efficacy or decisive results of the Neapolitan co-operation. My note to the Duke de Gallo, as referred to by the Duke of Campochiaro, was presented at Bologna upon my return from Verona, in consequence of its being represented by Sir Robert Wilson, that a written declaration of the verbal assurances given by your lordship, would be satisfactory to Murat, and might induce him to act. As well as I recollect, your lordship had directed this communication, which I before had not offered, because I had no reason to suppose that Murat required it. I accompanied these assurances with a review of the conduct he had pursued. I did so, from having seen that coaxing had no influence upon him—in the belief that if he was only wavering, a decided line of conduct and language was the most likely to determine him—and lastly, with the object of then establishing and officially according the reasons upon which the Allies might punish his infidelity. I hoped the fear of it might recall him to his duty.

Your lordship further asks, what was Murat's conduct subsequent to the presentation of this Note; as I immediately embarked for the Riviera di Genoa, I had less means of information; but as far as I have heard, I have no reason to believe it underwent any change. I have entirely omitted all mention of the continued communications, part of which I myself witnessed, between the Viceroy and Murat.

I have, &c. W. C. Bentinck.

No. 12.—Mr. Vice Consul Walker to Viscount Castlereagh.

Naples, 7th March, 1815.

My lord; On the departure of Mr.

Fagan from this city, the charge of the consulate devolved upon me as vice-consul, to which office I had the honour of being nominated provisionally by lord W. Bentinck, until the pleasure of his Majesty's ministers was known. I have therefore the honour of informing your lordship, that in consequence of the important and surprising intelligence of the escape of Buonaparté from the island of Elba on the 26th ult. with twelve or fourteen hundred men, in five or six transports and a corvette, with provisions for five or six days, as is reported here, an extraordinary cabinet council was held yesterday; and I received a note last night from the Duke of Gallo, requesting very particularly to see me this morning.

On my going there, he told me that he had it in special command from the King to inform me officially, as the only person in any public situation under the British Government here, that his Majesty had declared to the council, in the strongest terms possible, his firm and most decided resolution to cultivate and preserve the friendship of Great Britain both politically and commercially, and that whatever events may result from this unexpected occurrence, his determination to attach himself, by every means in his power, to the interests of Great Britain, was unalterable—his expression in French *inébranlable.* His grace requested me to transmit this information, which is the substance of the conference, to your lordship, by a cabinet courier, which he sends off to London this morning.

I have omitted to say, that I took the liberty of explaining to the Duke my being persuaded what would be the King's decision, but that I was happy in having it announced from such high authority. No particulars of the destination of Buonaparté seem to be known here; and even if they were, your lordship will naturally be in possession of them long before you could receive them from me. Being without any instructions, I have been under the necessity of acting according to the best of my own judgment; and if I have erred, it has not been from intention; but I should be extremely happy to be favoured with directions from your lordship for my better regulation, to which I shall implicitly conform. The courier waits for my letter; and I have only to assure your lordship, that whatever events may take place here, interesting to the British Government, I shall omit no opportunity of communicating as early as possible. With the utmost respect I am, &c. RICHARD WALKER.

No. 13.—Extract of a Dispatch from Viscount Castlereagh to the Duke Wellington, dated Foreign Office, March 24, 1815.

I inclose a communication received from Murat through the chevalier Tocco, who has been residing here, as Mr. Walker has been at Naples, without any accredited character. I am directed by the Prince Regent to acquaint your grace, that Mr. Tocco has been informed, that no answer can be given to this overture in London, and that the decision will be taken by your grace (to whom the proposition would be this night transmitted) in concert with the other Powers now assembled in Congress. I have the honour to forward to your grace a Dispatch from Mr. Tocco to the Duke de Campochiaro, by which he transfers, on the part of his court, the negociation on the subject of this Dispatch to the Duke.

No. 14.—Extract of a Dispatch from the Duke of Wellington to Viscount Castlereagh, dated Vienna, February 25th, 1815.

Accounts have been received from Italy that Murat is making great exertions to reinforce his army by forced levies in the Marche d'Ancona; and that he is encouraging the independent party in Italy, by conferring decorations and giving employments to those individuals belonging to it who have come into the Neapolitan dominions.

I inclose a note which the Duc de Campochiaro presented two days ago to Prince Metternich. The Duc de Campochiaro at the same time informed him, that he was directed to ask for a passage for 80,000 men through the Austrian dominions in Italy, who should pay for all they consumed; and he communicated to the Prince the instructions he had received, to present a note to Prince Talleyrand, and in which he was ordered to demand from the Prince, whether France considered the King of Naples as an ally of Austria, and if she did, whether she intended to maintain the relations of peace established by the Treaty of Paris, and to acknowledge his Majesty as King of Naples.

The receipt of the inclosed note by Prince Metternich, and the demand for a passage for 80,000 men, have induced the Austrian cabinet at length to take measures for the security of the tranquillity of Italy, and orders have been issued within these two days for the march of a body of troops towards the Italian provinces, which will make the disposable force there amount to 150,000 men under arms.

Prince Metternich has likewise presented a note to Prince Talleyrand, and the Duc de Campochiaro, in which he has informed them, that his Imperial Majesty is determined to maintain the tranquillity of Italy; and to consider as an enemy any power that shall move troops into that country.

(Inclosure in No. 14.)—Translation.

Note from the Duke of Campochiaro to Prince Metternich.

Vienna, January 25, 1815.

By the first Article of the Treaty of Peace, concluded on the 30th May, 1814, at Paris, between the Courts of Vienna and of the Thuilleries, it was stipulated, that there should be, from the day of the signature of the Treaty, peace and amity between his Majesty the Emperor of Austria and his allies on the one part, and his Majesty the King of France on the other.

His Majesty the King of Naples belongs to the coalition that has given peace to France, and being the ally of Austria by virtue of the Treaty of Alliance of the 11th January 1814, it is very evident that he is included in the Peace of Paris, in the same manner as his Majesty the King of Bavaria, another ally of Austria, and those sovereigns allied to the other Powers that have signed the Treaty of the 30th May, are also included in it.

There might be produced in support of this fact, were it not sufficiently self-evident, the Declaration made on the 4th June, 1814, by his Majesty King Louis the 18th, to the Chamber of Deputies of the French parliament, stating that he had signed with the four principal coalesced Powers, a peace wherein their allies were included; that is to say, all the princes of Christendom, amongst whom a place cannot certainly be denied his Neapolitan Majesty.

Accordingly, the minister plenipotentiary of his Majesty the King of Naples accredited to the coalesced Powers, hastened to solicit the Court of France to recognise his august Sovereign, in conformity to diplomatic etiquette. But the prince de Benevente, &c. &c. gave him to understand, that not having official knowledge of the existing alliance between the Courts of Naples and Vienna, the cabinet of the Thuilleries could not bring itself to consider the King of Naples as included in the Treaty of Paris of the 30th of May 1814. In consequence of this observation, and on the demand of the Neapolitan minister, his highness Prince Metternich, minister of state, of conferences, and for foreign affairs of his Majesty the Emperor of Austria, obligingly made an official communication, for the object before stated, of the Treaty of the 11th of January, to the prince of Benevente. Thus the cabinet of the Thuilleries could not, without inconsistency, and without manifest bad faith, still delay formally to recognize his Neapolitan Majesty, after having been convinced, by the official communication from the Austrian cabinet, of the alliance existing between the Courts of Naples and Vienna.

Nevertheless, the French minister endeavoured to protract the affair; but at last, after many explanations, which took place between himself and the plenipotentiary of his Neapolitan Majesty, the prince de Benevente represented to him, that his Most Christian Majesty, closely united to the royal family of Sicily, could not decide to recognise the King of Naples, before the conclusion of the Congress; but he added, that in the mean time France would consider herself at peace with the King of Naples, and that, excepting diplomatic forms, there should be between the two Powers every relation of amity and commerce.

In fact, the Neapolitan plenipotentiary having addressed several notes to the French minister, he has always replied to him officially, treating him as minister of his Majesty the King of Naples. All the Neapolitan prisoners who were in France have been sent back; the Neapolitan consulships have always been in activity in the ports of France; ships of war and merchantmen have been reciprocally admitted in the ports of the two kingdoms; and the respective flags and subjects have enjoyed therein all the favour and protection of both Governments.

All these circumstances had confirmed the King of Naples in the opinion, that, if his Most Christian Majesty deferred to recognise him, this delay was not to be attributed to evil intentions, but only to reasons of family interests. Thus his

Neapolitan Majesty, while cultivating the good relations established between his states and France, awaited, from the regular course of negociation, his formal recognition on the part of his Most Christian Majesty. But the negociations emanating from the union of the General Congress of the Powers of Europe at Vienna, have made known to the undersigned ministers plenipotentiary of his Majesty the King of Naples, that the dispositions of France are not such as the King had a right to expect from a friendly power, and from a sovereign whom he has contributed by all his means to place on his throne.

In this state of affairs, his Majesty the King of Naples addresses himself with confidence to his Majesty the Emperor of Austria, his august and powerful ally, in order that he may kindly exert all his influence to engage the Court of France, to respect the engagement it has made, by the 1st Article of the Treaty of Paris, to be at peace with all the allies of Austria, and consequently with the Court of Naples. His Majesty the King of Naples believes he may so much the more rely on the good offices of his Imperial Majesty, as the object for which he calls for them, is only a consequence of the 10th Article of the Treaty of the 11th of January, stipulating, that neither peace nor truce shall be concluded on either side, without reciprocally including in it both parties.

His Neapolitan Majesty flatters himself that his Majesty the Emperor of Austria will perform this part with so much the more solicitude, as it must be foreseen that if France be suffered to commit so revolting an infraction of the Treaty of Paris, by acting in a hostile manner against an ally of Austria, without the least provocation, she will not be more scrupulous in respecting the other stipulations of the Treaty.

The undersigned request his highness Prince Metternich will have the goodness to invite the attention of his Majesty the Emperor of Austria, and of his august Allies, to the subject of this note, and then to acquaint the undersigned with the result of the steps which the Cabinet of Vienna may have taken towards the French Government, and the other Powers who have signed the Treaty of Paris, with respect to the object above mentioned.

Duke of Campochiaro.
Prince of Cariati.

No. 15.—Extract of a Dispatch from the Duke of Wellington to Viscount Castlereagh.

Vienna, March 25th, 1815.

The Duke de Campochiaro called upon me some days ago, in company with the Prince Cariati, and informed me, that as soon as Murat had heard, at Naples, on the 5th instant, of the departure of Buonaparté from the island of Elba, he had called together his council, and had informed them of his determination to adhere to his alliance with the Emperor of Austria; and had directed him (the Duke de Campochiaro) to inform the Austrian ministers, and the plenipotentiaries of the Allies collected at Vienna, of this determination. He made the same verbal communication to Prince Metternich, Prince Talleyrand, and all the other ministers.

In three days afterwards, on the 23d, Prince Metternich received from Naples reports that the whole of the Neapolitan army was in movement towards the frontier; that Murat's horses and field equipages had been sent to Ancona, and that he was himself to follow immediately, and to establish his head-quarters at that place. He had not moved, however, as late as the 12th.

It appears, that for some days after the 5th, he had manifested a good deal of interest in what was passing in France, and was much agitated. He had had frequent interviews with certain French officers established at Naples, and had dispatched several of them into France; and he had given very unsatisfactory answers to the Austrian minister, Count Mier, both in regard to the line he intended to pursue in the contest likely to take place in France, and in regard to the object of the movement of his troops to the frontiers.

By the same occasion, accounts were received from Rome, from which it appeared that he had given notice to Lucien Buonaparté of his intention to enter the Papal states, and to move one column upon Rome; and that Lucien, thinking the measure was in the progress of execution, had informed the Pope of it.

It is imagined that the failure of Buonaparté at Antibes, of which accounts had been received at Naples, had induced Murat to stop the march of his troops, and to delay his own departure from Naples; but that the plan will have been resumed, and carried into execution, as soon as the accounts will have been received of the first successes of Buonaparté.

These accounts of the conduct of Murat, coupled with the proofs transmitted to me by your lordship in your dispatch of the 12th inst. of Murat's treachery in the last war, appear to have convinced the Powers assembled here of the absolute necessity of attacking him forthwith.

According to the latest accounts the whole of Italy was quiet, and apparently the expedition of Buonaparté into France had occasioned a good deal of disgust and terror. I entertain no doubt that Murat will move forward as soon as he shall hear of Buonaparte's success; and if he should find that the Austrians do not tamely submit to his encroachments, he will probably proclaim himself King of Italy, and will endeavour to revolutionize the country.

No. 16.—The Duke of Wellington to Viscount Castlereagh.

Vienna, 28th March, 1815.

My lord; I inclose the copy of a Note from Prince Metternich, in which he has inclosed a letter from marshal Bellegarde of the 20th of March; and one from lord William Bentinck to marshal Bellegarde of the 21st, containing the opinion of his lordship, that any attack by marshal Murat would put an end to the armistice existing between him and his Majesty's troops.

I likewise inclose the copy of the answer which I have written to Prince Metternich, inclosing the copy of a letter which I have written to lord William, upon the situation in which he will find himself, and the measures it will be desirable to adopt forthwith, in case Murat should attack the Austrians.

As the time approaches at which the Austrians will commence their operations against Murat, I beg leave to submit to your lordship the expediency of giving to lord William Bentinck instructions to co-operate with them, to the same purport as what I have suggested in case they should be attacked by Murat. I have, &c. WELLINGTON.

(First Inclosure in No. 16.*)—Translation.*

The Prince Metternich to the Duke of Wellington.

Vienna, 28th March, 1815.

The minister of state for foreign affairs of his Imperial, Royal, and Apostolic Majesty, has just received from the marshal Comte de Bellegarde a report from Milan, dated the 21st of March; to which is annexed a letter addressed to him by lord Bentinck; and he hastens to transmit copies of both to his excellency the Duke of Wellington.

The manner in which lord Bentinck views the consequences of the movements of King Joachim, exactly agrees with the conduct which the Court of Vienna intends to pursue in regard to the Neapolitan Government. The undersigned, therefore, does not hesitate to request his excellency the Duke of Wellington to sanction the measures which lord Bentinck proposes to adopt, and his intention of acting in perfect concert with marshal Comte de Bellegarde. The undersigned desires also to add his hope, that his excellency the Duke of Wellington will give similar directions to the commanders of his Britannic Majesty's forces in the Mediterranean and Adriatic seas, that they may counteract the operations of the Neapolitan Government, which can only be considered as hostile to both nations. For his own part, the minister of state for foreign affairs does not withhold his approbation of the measures of the Comte de Bellegarde. He has the honour, &c.

METERNICH.

(Second Inclosure in No. 16.*)—Translation.*

Extract of a Report from Marshal Comte de Bellegarde.

Milan, 21st March, 1815.

I have the honour to transmit to you the copy of a Dispatch which I have this instant received from lord Bentinck, and which has been brought to me by a courier, whom he is sending to London. I will answer his questions to-morrow; I shall attend particularly to the second, for it cannot but be advantageous to us if the King finds himself under the necessity of explaining himself personally with lord Bentinck on the question which he wishes to put to him. I shall, above all, be particular to assure myself of the disposition of lord Bentinck, in case the king of Naples should commence hostilities against us. The passage of a part of the Neapolitan fleet from the Straits of Messina to the Adriatic is an object worthy of our attention, and which clearly indicates that all the means of the King are directed against us.

(*Third Inclosure in No.* 16.) —*Translation.*

Lord William Bentinck to Marshal Comte de Bellegarde.

Genoa, March 20, 1815.

I have received from lord Burghersh, his Britannic Majesty's minister at Florence, the intelligence communicated to his lordship by Mr. Lebzeltern, and which your excellency has also most probably been partly made acquainted with, that marshal Murat was on the point of putting all his army in motion. I should wish to know from your excellency, supposing this event to have taken place, to what extent you would consider such a step as an infraction of the Treaty actually existing between Austria and the Neapolitan Government, and how far it ought to be considered as an act of positive hostility.

I propose this question to your excellency for the following reasons: 1st. As the armistice concluded by me with the Government of Naples was an immediate consequence of the Treaty made by Austria, it became then part of the same transaction; and it appears natural, that if this Treaty is violated, the armistice ought also to be virtually broken. 2dly. If the conduct of marshal Murat is only suspected, it would perhaps be proper on my part, (and I should wish to know your sentiments on the subject) to demand an explanation with regard to a conduct, which, if it is hostile to the ally of his Britannic Majesty, must therefore be so to his Majesty himself. 3dly. That if marshal Murat is really at war with Austria, it would appear to be the duty of the commanders of the British forces, as well by sea as by land, in the Mediterranean, to oppose his operations as much as lay in their power. Information was received yesterday from Sicily, that a division of the Neapolitan fleet had passed the Straits of Messina, and was directing its course towards the Adriatic. I have, &c.

W. Bentinck.

(*Fourth Inclosure in No.* 16.)

The Duke of Wellington to Prince Metternich.

Vienna, March 23, 1815.

My Prince; I have had the honour of receiving your highness's note, in which you have inclosed me the copy of a letter of the 21st of March from marshal Bellegarde, and one of the 20th March from lord William Bentinck, in consequence of which I have written a letter to lord William Bentinck, of which I inclose your highness a copy. I have the honour, &c.

Wellington.

(*Fifth Inclosure in No.* 16.)

The Duke of Wellington to Lord William Bentinck.

Vienna, 28th March, 1815.

My lord; Prince Metternich has communicated to me a copy of your lordship's letter to marshal Bellegarde of the 20th of March, in which your lordship states your opinion that, in case Murat should make a movement with his troops, which is considered an act of hostility and breach of treaty with the Emperor of Austria, your lordship will consider the armistice existing between his Majesty and Murat as at an end. I beg to inform you that I entirely concur with you in that opinion, which I have reason to believe to be in conformity with that of his Majesty's Government.

In case marshal Murat should attack the Austrians in Italy, it is desirable that your lordship should do every thing in your power to support the latter, and that your lordship should inform the officers commanding his Majesty's ships in the Mediterranean, that this armistice is at an end, when the case shall occur, in order that he may co-operate with the Austrian troops, and particularly protect and aid the passage of the Austrian troops from Dalmatia to the opposite coast.

It would be desirable that, in the same case, the officer commanding his Majesty's troops in the Seven Islands should be instructed to assist the Austrian corps in Dalmatia, either by transports, or by detaching troops as far as may be in his power, consistently with the safety of the possessions entrusted to his charge, in order to co-operate with the Austrians. In the same case, and in the probable event of the Austrians being able to take the offensive against Murat, I need not point out to your lordship how desirable it would be to co-operate with the Austrians from Sicily. I have the honour to be, &c.

Wellington.

No. 17.—Dispatch from the Earl of Clancarty to Viscount Castlereagh.

Vienna, the 15*th April,* 1815.

My lord; The accompanying copies of official notes from the Duc de Campochiaro and the Prince Cariati, and of the answer of Prince Metternich to one of them, will put your lordship in possession of the state of affairs between this country and that of Naples, and that the latter of them will acquaint you, that the Austrian Government has considered Murat's late attack upon the advanced posts of the army, as a declaration of war, that the same has been accepted, and that the two countries are now in a state of open and avowed hostility. To these, I have the honour to add translations of the Austrian Declaration, which was published here on the 10th instant.

I am happy to be able to inform your lordship, that the outset of this war has been favourable to the Imperial arms. Their head quarters have, been and still, by the last accounts, were at Bogelo on this side the Po; the advanced guard, under general Bianchi, had been between Bologna and Ferrara. It seems to have been the intention, that this last should retire upon Murat's advance, for the purpose of defending the line of the Po, till the strong reinforcements in march should have time to come up, and that general Nugent, dispatched with a force for that purpose through the defiles of Tuscany, should be able to operate on the enemy's rear. Prince Metternich has read to me the official report received from their head-quarters, stating, that the advanced guard of the Austrian army had had rather a sharp affair with that of Murat, in which the latter was repulsed with the loss of several hundred in killed, wounded, and presoners. This affair took place on the Pinaro. General Bianchi, with his force, retired without further obstruction to Borgo-forte.

I have the honour herewith to inclose the copy of a Dispatch, which, at the request of Prince Metternich, I have thought it my duty to write to lord Wm. Bentinck, and in which copies of the Papers A, B, and C, herewith transmitted, were inclosed for his lordship's information. I have the honour, &c. CLANCARTY.

(First Inclosure in No. 17.)—Translation.

The Neapolitan Plenipotentiaries to the Earl of Clancarty.

Vienna, April 8th, 1815.

The undersigned Plenipotentiaries of his Majesty the King of Naples at the Congress of Vienna, hasten, according to the orders of their Court, to communicate to his Excellency Lord Clancarty, First Plenipotentiary of his Britannic Majesty at the said Congress, a Note which they have this day addressed to the Cabinet of Vienna.

They entreat his Excellency to lay this Note before his Government, who will find in it the fullest explanation both as to the imperious motives which have determined his Neapolitan Majesty to march his troops to the Po, and as to the sincere desire which he entertains for the continuation of peace.

It is only to secure the continuance of it in his states and to his people; it is only to place himself on a footing with the extraordinary warlike preparations which are making in Italy, and to prepare himself against the re-action of the events which have taken place in France, that the King of Naples has found himself forced to return to those positions upon the Po, which he occupied at the end of the last war.

But he has, and has had no other object in view than to obtain at last that security and guaranty, which he has in vain solicited during the continuance of the Congress, and which are due to him in virtue of his Treaty of Alliance with the Court of Vienna, to which England gave her concurrence and consent.

The King of Naples has no doubt that the British Government, informed of his real intentions, will concur, and employ her powerful influence with the other Powers, in satisfying the just wishes of his Neapolitan Majesty, who, on his part, will be desirous of doing every thing which depends upon him, to prove to the whole world his sincere desire of peace, and to cement the relations of friendship and of commerce, which so happily exist between the Crowns of England and of Naples. The Undersigned, &c.

Duke of CAMPOCHIARO.
Prince CARIATI.

(Second Inclosure in No. 17.—Translation.)

The Neapolitan Plenipotentiaries to Prince Metternich.

Vienna, April 8, 1815.

The undersigned Ministers Plenipotentiary of his Majesty the King of Naples, at the Congress of Vienna, have received the orders of their Court to make the following answer to the Note and to the official Letter of his Highness Prince Metternich, Minister of State and of Foreign Affairs of his Majesty the Emperor of Austria, dated the 26th of February last.

Always animated by the most sincere

and ardent desire to preserve those very intimate relations of friendship and union which existed with his Majesty the Emperor of Austria, his august ally, and to be at peace with every state, the King never ceased, during the continuance of the Congress, to use every effort, and all the means in his power, to cement his alliance with the Court of Vienna, and to place himself in direct relation with the other Courts of Europe.

For this purpose the King has, at different times, solicited the Cabinet of Vienna to conclude a new Treaty of Alliance, conformably to the fifth secret Article of that of the 11th of January 1814. He has offered to his Imperial and Royal Apostolic Majesty the co-operation of the whole of his forces for the maintenance of tranquillity in Italy; and he has even put a portion of his troops at the disposal of the Austrian commanding officer in Italy, in case he should require them for the re-establishment or maintenance of good order in the Italian provinces belonging to the House of Austria. He, in fine, omitted no opportunity of giving to his Imperial and Royal Apostolic Majesty the most convincing proofs of his constant and entire devotion.

His Neapolitan Majesty flattered himself, that a conduct so frank and loyal would have merited a perfect reciprocity on the part of the Court of Vienna; and that that Court would have at length acted with all the energy and efficiency of a good and faithful ally, in the accomplishment of the Treaty of the 11th of January, 1814.

It is impossible to explain otherwise, than by an excess of confidence, the facility with which the Court of Naples abandoned itself to the Cabinet of Vienna, during the negociations of Congress; whilst that Cabinet uniformly declined all the solicitations addressed to it by the undersigned, in order to obtain the execution of the engagements which it had contracted by its alliance with their Court, and whilst the notes which the undersigned addressed to it, and even an autographical letter of the King to his Majesty the Emperor of Austria, containing the most friendly protestations and offers, were left unanswered.

And when, for the first time, the Cabinet of Vienna broke this fatal silence, it was to intimate to the King in menacing language, by the note of the 26th February last, that he should quietly wait until 150,000 Austrians, with 200 pieces of artillery, had marched into Italy, until three bridges had been thrown over the Po, and until eight thousand workmen had completely finished the fortifications traced upon the line of that river; in order to impose upon him afterwards whatever laws it might be wished he should submit to.

The Cabinet of Vienna tries to justify the necessity of these measures by the Neapolitan armaments. It well knew, however, and the King never ceased to repeat it on all occasions, that he only waited for the moment when he should see established, by solemn acts, the safety and repose of his states and of his people, to reduce his forces, and to assume an attitude perfectly pacific.

Why then did not Austria, instead of taking those measures in Italy which must necessarily increase the alarm of the King, prefer doing away that alarm, by the execution of that Treaty of the 11th January? Such a mode of proceeding was much more simple, and would have been more successful. But the Cabinet of Vienna, far from declaring itself the faithful ally of the King, and acting in consequence, did, in the note addressed on the 25th February to the Cabinet of the Thuilleries, avoid, even with an appearance of affectation, the insertion of one word which could give to France the most distant idea, that Austria was disposed to defend the kingdom of Naples, in case it should be attacked; and yet the guarantee and defence of the states of the King formed the basis of his alliance with Austria; who having likewise stipulated, by the first Article of the Treaty of Paris, that her Allies should be at peace with France, was bound by an additional obligation to defend and sustain the King against that Power.

It is worthy of remark that the King received the notes of the Cabinet of Vienna, of the 25th and 26th February, and the accounts of the extraordinary war measures taken by Austria in Italy, on the 7th of March, that is, two days after: notwithstanding the little prospect of safety which the negociations of Vienna had yet offered to him, the King had solemnly declared, that, whatever events might take place in France, he would remain always faithful to his engagements.

Such was and such is still the wish of the King. Nevertheless, after the unexpected steps taken by the Court of

Vienna, and which have thrown a light by no means satisfactory upon the whole course of her proceedings towards the Court of Naples, during the negociations of the Congress, and after the events which have arisen in France, which may again light up the flame of war upon the continent, the King has been obliged to turn his attention to the securing by his own means his own preservation, and the safety and tranquillity of his states and of his people.

It is under the influence of these motives, which are as weighty as they are imperious, and of the example set by other Powers, and even by Austria, which have advanced and concentrated their forces, that his Majesty has judged it necessary to direct his army to take up again that position which it occupied upon the Po at the end of last war, in consequence of a Convention signed on the 7th February between the Austrian and Neapolitan generals.

The march of the Neapolitan army to the Po, can therefore be considered only as a measure of precaution and of foresight, dictated by the renewal of that state of things which had given rise to the above-mentioned Convention, and by the consideration that the King being able to rely only on his own forces, the line of the Po is the only one which can enable him to defend himself against all attack which may be meditated against his states.

This explanation, which was given to the Commander-in-Chief of the Austrian army in Italy in time to prevent every act of hostility, until the two Courts should have come to an understanding, has not produced the effect which was expected from it; for the King has been informed, that a Neapolitan gun-boat has been detained and disarmed in the port of Cerria. Another gun-boat, which carried dispatches to the Neapolitan Consul at Venice, has been also detained at the Point of Goro, at the mouth of the Po: she was fired upon, and when the Commander declared that he was charged with dispatches for the said agent, he was answered, that, in consequence of orders from Field-Marshal Bellegarde, no Neapolitan vessel could be received on the whole Austrian coast.

Lastly, a Neapolitan officer who had been sent to the bridge of Lagosciuro, to receive some cases of muskets, the exportation of which had been agreed to by the Austrian Government, has been sent back without being able to obtain these arms.

His Neapolitan Majesty extremely regrets, that his Holiness, and his Imperial and Royal Highness the Grand Duke of Tuscany should, notwithstanding the most friendly assurances given to them by him, have taken the precipitate determination of withdrawing from their Capitals. The King saw with pain in this transaction, that the Austrian Minister at the Court of Rome, instead of calming the unfounded apprehensions of the Holy Father, had contributed with the greatest warmth in engaging him to leave his residence, even when his Majesty had caused it to be declared to him that the passage of his troops through the Roman states, would not have caused the least change in the state of government, that they would not even have traversed the City of Rome, and that whatever was furnished to them during their passage, should have been exactly paid for.

Why then be thus alarmed at the simple passage of friendly troops, under such tranquillizing restriction? Certainly, the King would have much preferred abstaining from marching his troops through the Roman states; but circumstances were so urgent, and the roads of Abbruzzo were so impracticable, in consequence of the melting of the snow, that he could not delay that measure. The Allies, in circumstances less pressing, did the same with respect to Switzerland in the last war, and nobody could blame them for it.

The King however declares, as he has ever declared in the face of the whole world, that he has no wish but for peace, no pretensions but the immediate fulfilment of the Treaty of the 11th January. He flatters himself, that his Majesty the Emperor of Austria, animated by the same disposition, and by that spirit of conciliation and of justice which characterizes him, and convinced of the real motives which have reduced the King to the unpleasant necessity of taking extraordinary measures to watch over his own preservation and the safety of his states, will crush these seeds of misunderstanding, so contrary to the policy and interest of the two Courts, and of the two Nations, by re-establishing, in the prompt execution of the Treaty above mentioned, that perfect accord, and those intimate relations which have so happily united them.

For this purpose, the undersigned request his highness Prince Metternich to have the goodness to lay this Note before his Majesty the Emperor of Austria, and to transmit to them, as soon as possible, a categorical answer upon these propositions, in order that they may forward it without delay to their Court.

The undersigned, in the mean time, acquaint his highness the Prince Metternich, that, in consequence of orders from their Court, they will communicate this Note to the Ministers Plenipotentiary of the Courts of Russia, England, and of Prussia, who have either taken part or concurred in the above-mentioned Treaty. They seize this opportunity, &c.

The Duke of CAMPOCHIARO.
The Prince CARIATI.

(Third Inclosure in No. 17.)—Translation.

The Prince Metternich to the Neapolitan Plenipotentiaries.

Vienna, April 10, 1815.

The undersigned, Minister of State and for Foreign Affairs of the Emperor of Austria, has submitted to his Imperial Majesty the Declaration which the Neapolitan Plenipotentiaries have done him the honour to address him the 8th instant. He is commanded to make them the following reply:

The Treaty of Alliance between Austria and the Court of Naples was hardly concluded before it became manifest, both by the prolonged inactivity of the Neapolitan army, and by a multitude of material proofs, which fell into the hands of the Allied armies, that, in the course of the negociations, the King, far from striving for the common object for which the Powers acted in the war of 1813 and 1814, had principally calculated his measures upon the issue of events.

The Emperor nevertheless continued faithful to the Treaty of Alliance of January 11th, 1814. Without adverting to the motives which led to its negociation, or to the circumstances which induced the King's accession to it, his Imperial Majesty regulated his determinations solely upon the nature of the engagements of that alliance. He employed his good offices without delay in establishing relations between his Allies and the Court of Naples.

The reasons which have prevented these relations from being converted into formal alliances are too well known to the Cabinet of Naples, to make it necessary for the undersigned here to repeat them.

The more the conduct adopted by the King since the first moment of the alliance has been opposite to that of Austria, the less right has he to impute to the Cabinet of Vienna the inconveniences which may have resulted therefrom to the Court of Naples.

The Emperor has never ceased representing to the King the consequences in which he must be involved by his prolonged occupation of the Marches, at a time when sound policy prescribed to the King to limit his pretensions to the preservation of his kingdom, and to abstain from all schemes of conquest; and when the same policy called him to the honourable task of assisting the Governments of Italy in securing the tranquillity of the Peninsula, instead of fomenting the agitation of men's minds, by continually augmenting his armies, disproportioned to the resources of his state. And what is still more, these armies were assembled upon points which by the geographical situation of the Austrian possessions, being secure from an attack on the part of the Powers opposed to the Court of Naples, were to be from that moment considered only as positions taken up in hostility to Austria, and to the other Princes of Italy.

Although, during this interval, the general interests of Europe, and of the Austrian monarchy, claimed the entire attention of his Imperial Majesty, he nevertheless neglected no means by which the King might be brought back to more moderate views. His Majesty tried every method of conciliation and persuasion, until the period when the armaments of that Prince assumed the character of more direct aggression. His Majesty was finally obliged to decide upon a step provoked by the overtures of the Neapolitan Cabinet, which revealed too plainly the views, with respect to which there remains no longer any doubt, since the overtures made by the King to the Court of Rome.

The undersigned was commanded to transmit simultaneously to the Plenipotiaries of Naples and of France, Declarations which could leave no doubt that the Emperor would never grant to any foreign troops a passage through his territories.

The Declaration, addressed to France the 25th of February, was the next day communicated to the Neapolitan Plenipotentiaries. If there be any difference in the wording of these simultaneous Declarations, the reason is plain. It was by the Court of Naples that the question was brought forward; it was that Court which had assumed an hostile attitude.

The Emperor owed it to the security of his dominions, and to his general relations with the rest of Europe, to make those Declarations. He owes it to his dignity to maintain them. His Imperial Majesty would have rejected every demand on the part of France to send an army into Italy. After the Declaration of the 27th of February, he would have considered any step in furtherance of such a demand, as a declaration of war. The Emperor, in like manner, looks upon the advance of the Neapolitan troops beyond the frontiers of the kingdom, and from their cantonments in the Marches, as a rupture of the alliance, and as a measure directed against himself. In the same manner also does his Majesty now consider the entrance of the Neapolitan army into the Legations, and the acts of hostility committed by it upon the Imperial troops, as a positive declaration of war, whatever be the pretexts under which the Cabinet of Naples presents these facts.

The undersigned is, consequently, commanded immediately to recall the Imperial mission from Naples, at the same time that he places the inclosed passports at the disposal of the Neapolitan mission at Vienna. METTERNICH.

(Fourth Inclosure in No. 17.—Translation.)

Austrian Declaration of War against the King of Naples.

Vienna, April 12, 1815.

After the campaign of 1812, the King of Naples left the French army, in which he had commanded a corps. He had scarcely arrived in his capital, when he caused overtures to be made to the Austrian Court, announcing his intention of combining his future political proceedings with those of the Austrian Cabinet. Shortly after the campaign of 1813 commenced: dazzled by some illusive appearances of events favourable to Napoleon, King Joachim left Naples, and again took a command in the French army. At the same time he secretly proposed to the Austrian Cabinet his mediation between the Allies and the French Emperor. The glorious 18th of October decided the fate of Napoleon; the King of Naples returned to his dominions, and immediately renewed the negociations respecting his accession to the European alliance. He caused his army to advance, and proposed to Austria the partition of Italy. The Po was to be the limit of the two states. Some months elapsed in continued negociations with the Allies, and no less frequent correspondence on the part of the King, with the commander in chief of the French Italian army. The Neapolitan army did not side with either party. Neither could reckon upon it; neither had to combat it. This state of things was, however, least unfavourable to Austria, to whom it furnished the means of turning its principal force against the common enemy, without attending to Italy.

On the 11th of January 1814, the Treaty between Naples and Austria was at length signed; yet the Neapolitan army remained long inactive, under the pretext that the ratifications were not yet exchanged. Material proofs, which fell into the hands of the Allies, left no doubt that the King's secret connexions with the enemy still continued. They betrayed chiefly his intentions of making the French Emperor believe that the accession of the King to the alliance of the Powers had not actually taken place. The victories obtained in France itself, put an end to the vacillations of the King. Paris had opened its gates to the Allies, and the Neapolitan army began its campaign.

The Convention of the 11th of April 1814, had ended the war against Napoleon; the negociations at Paris fixed the reciprocal relations between France and its late enemies; all the armies quitted France; the Neapolitans retired to the Papal Marches, to which the King, in virtue of the Treaty of January 11, had formed pretensions.

The relations between all the Powers were to be fixed at the Congress of Vienna. The branches of the House of Bourbon declared against the recognition of King Joachim. The situation of the latter was evidently much changed by the return of the ancient Royal Family to the thrones of France and Spain. A wise policy would have prescribed to him to limit his future views to the preservation of one of the finest kingdoms of the world, and to renounce every idea of conquest, and particularly of such conquest as could only be made at the expense of a neighbour, who in a military point of view was wholly inoffensive, and in every other point of view of the highest importance.

But moderation and good faith are words without meaning for the Princes of the new French dynasty.

King Joachim, however, instead of thinking of maintaining himself, formed, in secret, extensive projects for the future. He prepared the execution of them by bringing together all the elements of a political and military revolution: none of his plans, none of his movements escaped the Austrian Cabinet. This was not the way to bring over to his side, the opinion of the Courts who opposed the admission of the King of Naples to a place among the Sovereigns of Europe.

The burthen of such military exertions becoming at last too great for the kingdom to bear, the King resolved to take more decisive steps. In February last he announced to the Court of Vienna his intention of sending an army into France, for which end he required nothing less than the passage through Italy. A proposition so extravagant was treated as it deserved.

On the 25th and 26th of February 1815, his Imperial Majesty sent Declarations to the French and Neapolitan Governments, announcing his irrevocable determination never to allow the tranquillity of Middle and Upper Italy to be endangered by the marching in or passage of foreign troops. His Imperial Majesty at the same time gave orders for the march of a large reinforcement of the troops to his Italian provinces, in support of this Declaration; on the part of France it was announced that the King had no such intention. King Joachim kept his answer back; the moment for revealing his real designs was not yet come.

On the 5th of March, the news of Buonaparté's escape arrived at Naples. The King immediately sent for his Imperial Majesty's ambassador, and declared to him that he was and would still remain faithful to the system of the alliance; he renewed the same declarations to the Cabinets of Austria and England; but at the same time he sent one of his aides-de-camp, count de Beaufremont, to France, with the commission to go to Buonaparté, and to assure him of his support. Scarcely was the news of Napoleon's entry into Lyons received at Naples, when the King made it positively known—"That he considered the cause of Napoleon as his own, and would now prove to him that it had never been foreign to him." He required at the same time from his Holiness, a passage through the Roman states for two of his divisions, adding, that far from acting in an hostile manner, they should not disturb the Holy Father in his capital; the Pope protested against this violation of his territory, and when it took place, he left Rome, and repaired to Florence.

On the 8th of April the Neapolitan plenipotentiaries at Vienna delivered a Note to the Cabinet, which, with assurances of the most friendly sentiments of their master, and of his unalterable wish never to separate from Austria, announced that his Majesty, in consequence of the changes that had taken place, and of the military measures which all the Powers thought it necessary to take, had deemed it right also, for his own security, to give to his military forces a more extended position, and that for this reason they would occupy the line of demarkation which was fixed for the Neapolitan army by the armistice of 1813. Meanwhile the Neapolitan army, without any further declaration, began on the 30th of March hostilities against the Austrian posts in the Legations.

His Majesty the Emperor and King, strong in the justice of his cause, in the valour of his army, in the tried loyalty of his people, and in his intimate connexion with all the Powers of Europe, has caused it to be signified to the Neapolitan Government, by a Note, dated the 10th instant, that his Imperial Majesty considers war between the two states as begun, and leaves all farther decision to the force of his arms.

No. 18.—Extract of a Letter from the Comte de Blacas to Lord Viscount Castlereagh, dated Paris, 4th March, 1815.

Herewith you will find, my lord, the copies of the letters, the originals of which you have seen in my hands. Since that time I have found in another bundle, three minutes of letters written by Napoleon, one of which has no date. I have the honour likewise to address to you copies thereof, and they are not the least interesting of the documents which have been discovered in the immense quantity of papers amongst which it has been necessary to make search.

Blacas d'Aulps.

(First Inclosure in No. 18.)—Translation.

Lucca, Feb. 14, 1814.

Sire; I have had the honour of informing your Majesty by my reports of the 5th and 8th of this month, of the concentrating movement made by the Prince of Lucca upon Pisa, in consequence of the circumstances which induced me to quit Florence, to order the evacuation of that city, and to assemble all the troops of the division upon a point of greater security. The Prince has maintained himself at Pisa till now; but having received advice of an English expedition, amounting, by all accounts, to at least 6,000 men, and which appears to be undoubtedly directed from Sicily against Leghorn, Spezia, or Genoa, I have determined to order the Prince to continue his movement upon Genoa, in order that his retreat may not be cut off by the only road which still remains open.

I have been confirmed in this plan by having ascertained that some Neapolitan troops, superior in numbers, are already at Pistoya, and have forced our advanced posts to abandon the passage of Serravalle.

I also know that the enemy intends to cut off our communications, by seizing the road which conducts from Pontremoli to Spezia and the Riviera di Genoa.

I have thought proper to give him notice to keep some troops upon which the Viceroy must have reckoned, and which cannot render any very decisive services elsewhere.

The projects of the English and Austrians do away all the doubts which the personal conduct of the King of Naples might create. I ought not to conceal from your Majesty, that I have received from him several letters much at variance with the operations of his troops.

The King is in a state of great agitation. He is astonished that the Viceroy should have retired from the Adige, and that I have quitted Tuscany upon the notion that he could be the enemy of your Majesty and of France. He loudly expresses his devotion and his gratitude for your person; and he even said to the Tuscan deputies, that he would prefer receiving the first blow to drawing his sword against a Frenchman.

I know not how to reconcile this language, of which I do not suspect the sincerity, with all the arbitrary measures which have endangered my authority, and those which oblige me even now to provide for the safety of the French troops assembled at Pisa.

Your Majesty will appreciate these contradictions, which seem to me to proceed from a resolution deemed by the King conformable to his interests, but in which he has been dragged contrary to his own affections. I am assured that the language and conduct of the King are similar in his communications with the Viceroy.

It is nevertheless certain, that a Proclamation of general Bellegarde's, which recalls the nations of Italy to their former state, has been re-printed at Bologna, under the eyes of the King.

This Proclamation, drawn up with much art, has produced the greatest effect in Tuscany, where it is extensively circulated.—I am, with profound respect, Sire, of your Imperial and Royal Majesty, the most devoted and obedient sister and subject, ELIZA.

A correct copy.
(*Signed*) BLACAS D'AULPS.

(Second Inclosure in No. 18.*)—Translation.*

To the Queen of Naples.

Nangis, 17th February.

Your husband is a very brave man in the field of battle, but he is more cowardly than a woman or a monk when not in presence of the enemy. He has no moral courage. He has been frightened, and he has not hazarded losing for a moment that which he can only hold by me and with me. Make him fully sensible of his absurdity. When he quitted the army without my order, I foresaw all the evil counsels which would be given him. I am, however, better satisfied with the message he has sent me through you. If he be sincerely sorry, let him watch the moment for proving to me that he has not been so ungrateful as he is pusillanimous. I may yet pardon him the injury which he has done me.

A correct copy.
(*Signed*) BLACAS D'AULPS.

(Third Inclosure in No. 18.*)—Translation.*

Lucca, February 18, 1814.

Sire; I have received the letter from the Minister of War, transmitting to me your Majesty's instructions, concerning the evacuation of the Roman states and of Tuscany. Immediately after the receipt of that letter, I set out for Bologna, where the King of Naples was. I experienced no difficulty as far as Florence, but upon my arrival in that town, the new authorities signified to me that I could neither continue my route, nor remain at Florence; and that I must go back as far as Prato, there to await the answer of the King. I dispatched a courier to that Prince, and am returned to Lucca, where I am in greater safety than at Prato, which is in a state of insurrection. I know not what the King will be allowed to answer. The Austrian and English ministers reproach him with being French, and particularly with being too much attached to your Majesty. The revolutionists, who now govern Florence, assert loudly that the King of Naples has an understanding with the French, and that he deceives the Italians. They attribute to my counsels the inaction of the Neapolitan troops, which the Allies wished should march against the Viceroy at the moment when he was about to be attacked by general Bellegarde. The King is in the greatest distress; he now thoroughly feels in what a situation he is placed: it is difficult for me to send him advice. If there were as much firmness in his character, as there are good qualities in his heart, he would be stronger in Italy than the Coalition.

The Duke of Otranto.

A correct copy.

(Signed) Blacas d'Aulps.

(Fourth Inclosure in No. 18.)—Translation.

Volta, February 20, 1814.

Sire; I have the honour to address to your Majesty a return of your army of Italy, up to the 18th of this month. The King of Naples, who appeared inclined to march against us, and to yield to the solicitations of the Austrians, arrested his progress, as soon as he became acquainted with your Majesty's late victories of the 10th, 11th, and 12th. He had not yet received the ratification of his Treaty the evening before last; I therefore hope that he will not add to the wrongs of which he has been guilty towards your Majesty, by firing upon your troops. I am, &c.

Eugene Napoleon.

A correct copy.

(Signed) Blacas d'Aulps.

(Fifth Inclosure in No. 18.)—Translation.

Extract of the Consular Correspondence.

Kingdom of Italy.

Milan, March 2, 1814.

Eight Hungarians and one officer arrived on the 26th of February at Bellinzona, with the intention of establishing their communications with field-marshal Bellegarde, whom they supposed at Milan. This little detachment has re-entered Switzerland. A letter is mentioned as having been written by the Emperor Napoleon, to the Landaman of Switzerland, to induce him to oppose the retreat of the allied troops through the Helvetic territory. The troops stationed at Iselle, at the foot of the Simplon, have been reinforced by order of the Prince Viceroy. The fort of Ancona surrendered on the 15th February. The garrison of that place is expected at Placentia on the 3rd of this month. Information has been received, that the garrison of Venice made a sally, by which they obtained a great number of cattle. The army which marches from Placentia on Parma, met with some resistance on the Taro: it cannot have entered that town before the 1st of March. According to letters from Switzerland, an epidemic disorder prevails amongst the allied troops. In that country, great requisitions are made for the service of the enemy's armies.

3rd March. The re-entrance of our troops into Parma is announced, after taking from the enemy 1,500 prisoners, and 8 pieces of cannon. It is stated positively that general Bellegarde countermarches his artillery from Verona on Vicenza, and that two regiments belonging to his army are marching towards the confines of the Illyrian provinces, to form part of a cordon of health to be there established—an epidemic disorder having lately broken out in the upper countries.

Letter from the Consul of Ancona, without date, and supposed to be written from Lucca.

The Consul quitted Ancona the 4th February; the citadel, defended by general Barbou, was during two days attacked by the Neapolitans. The enemy's batteries fired from the forts of the Capuchins of Montgardet which they occupied. General Barbou capitulated the 15th.

The Consul had occasion to see the King of Naples, respecting his passports. The following is the substance of the conversation he had with him. Necessity alone, said the King, has obliged me to unite with the Allies; the great extent of the coasts of my kingdom, exposed them to the invasions of the English. Their maritime strength, and their force in Sicily, are well known:—who would have defended my kingdom, had I carried my army beyond the Po? Besides, it would have been impossible for me to make it leave the kingdom. On the other hand, my people were discontented in consequence of the stagnation of commerce, which prevented them from realizing the rich produce of the soil; it would have been easy for the enemy to have seduced them, to the sole detriment of myself and of France. On the other hand, my nation would have been dissatisfied, had I not acceded to the proposals which the Allies made me, of indemnifying myself for Sicily by the countries on this side the Po, which his Majesty the Emperor of the French was obliged to renounce by the force of circumstances. He added that his intentions were so much the purer on this head, as it was agreed that his army was never to fight against the French; he would recollect constantly that he was himself a Frenchman, and that he would not forget all he owed to his illustrious brother-in-law. He desired the Consul to remain at Ancona, and to continue his functions, assuring him that his correspondence should be free, since he was not at war with France. The Consul did not think that it was for him to make any objection.

The colonel of the 9th Neapolitan regiment, Mr. Marriotti, and all his officers, were the first to demand their dismissal. The other officers employed in the different corps of the army followed this example; but the greater part have been sent to Naples with the promise never to be obliged to serve against France. They are to be employed in the formation of other corps. The garrison of Cattaro, composed almost entirely of Italians, was left without resources after its arrival at Ancona, in order to oblige it to enter the kingdom of Naples.

On their arrival at Ancona, the Neapolitan authorities removed all the Italian escutcheons. The arms of France, placed on the Consul's house, were respected.

(Sixth Inclosure in No. 18.)—Translation.

To the King of Naples.

I say nothing to you of my displeasure at your conduct, which has been diametrically opposite to your duty. That, however, belongs to the weakness of your nature. You are a good soldier on the field of battle; but excepting there, you have no vigour and no character. Take advantage, however, of an act of treachery, which I only attribute to fear, in order to serve me by useful information. I rely upon you, upon your contrition, upon your promises. If it were otherwise, recollect that you would have to repent of it. I suppose that you are not one of those that imagine the lion is dead. If such are your calculations, they are false. I defeated the Austrians yesterday, and I am in pursuit of the remains of their columns. Another such victory, and you will see that my affairs are not so desperate as you have been led to believe. You have done me all the harm that you could since your departure from Wilna, but we shall say no more about it. The title of King has turned your head. If you wish to preserve the former, behave well, and keep your word.

A correct Copy.

(*Signed*) Blacas d'Aulps.

(Seventh Inclosure in No. 18.)—Translation.

Paris, March 3, 1814.

Sire; For several days I have daily written to Prince Borghese to send to Chambery a division of 8 or 10,000 men, and this under pain of disobedience, as your Majesty had prescribed: I am about to dispatch an officer to his Imperial highness, and to repeat the orders by telegraph. Your Majesty thinks that the King of Naples will not move; yet the attack and bombardment of the citadel of Ancona, are rather bad omens.

I have given orders that negociations should be entered into for the garrisons of Rome and of Tuscany. I have written successively to that effect, first to the Duke of Otranto, and afterwards to the Grand Duchess of Tuscany. I have desired that these garrisons should be sent in the direction of Chambery.

What makes me anxious is, that general Donzelot, at Corfu, is nearly unprovided, and his communications with Venice are uncertain. It is unfortunate that the old troops under his command could not be conveyed to France or to Upper Italy. I think that it would have been well also, as the fleet could not oppose the re-victualling of Santona, on account of the expence, that its garrison had been brought back to France, or that it had retained the means of capitulating on condition of returning home. I am, &c.

the Minister of War,

Duke De Feltre.

A correct Copy.

(*Signed*) Blacas d'Aulps.

(Eighth Inclosure in No. 18.*)—Translation.*

To the King of Naples.

March 5.

Sir, my Brother; I have already communicated to you my opinion of your conduct. Your situation had turned your head. My reverses have finished you. You have surrounded yourself with men who hate France, and who wish to ruin you. I formerly gave you useful warnings. What you write to me is at variance with your actions. I shall, however, see by your manner of acting at Ancona, if your heart be still French, and if you yield to necessity alone.

I write to the Minister at War, in order to tranquillize him with respect to your conduct. Recollect that your kingdom, which has cost so much blood and trouble to France, is yours only for the benefit of those who gave it you. It is needless to send me an answer, unless you have something important to communicate. Remember that I made you a King solely for the interest of my system. Don't deceive yourself; if you should cease to be a Frenchman, you would be nothing for me. Continue to correspond with the Viceroy, taking care that your letters be not intercepted.

A correct Copy.
(Signed) Blacas d'Aulps.

No. 19. Extract of a Letter from Lord William Bentinck to Marshal Bellegarde, dated Verona, March 25, 1814; transmitted officially by lord William Bentinck to Viscount Castlereagh.

It is now necessary to consider what has been the conduct of Murat.

1. Has he fulfilled his Treaty with Austria, the object and sole object of which was his immediate co-operation?

2. Was not this immediate co-operation, if he were sincere, as necessary to his own safety, as to the success of the common cause?

3. But has he not rather acted, as if his apprehensions were not of Buonaparté, but of the Allies?

4. Was it not the natural feeling and policy of a deserter from the cause of Buonaparté, to throw himself with all his weight into the scale, and be the most forward in the contest?—He would have no hope of escaping the effects of the vengeance of Buonaparté, if successful.

5. In what manner has he occupied the different parts of Italy evacuated by the French? Has not his occupation had more the air of permanent than temporary possession?

6. Is it not the language of all his officers, and of himself, that all Italy should be united, and that he should be the chief of Italian independence?

7. Is not this sentiment in exact accord with that of Buonaparté?

8. What mean his great endeavours to retain in his service the French officers, who, he knows, will never serve against his countrymen?

9. What means either his continual friendly intercourse with all the French authorities—with Fouché—with the advanced posts—and latterly, with peculiar activity, direct with the head-quarters of the Viceroy, without the knowledge and participation of the Austrian Minister?

10. Finally, is there any man in Italy—is there any man or officer in the Austrian army south of the Po—has your Excellency, or have I myself, any confidence whatever in his sincerity? Do not all believe, that his sole object is to gain time; that he is making and will make use of every pretext to do nothing until the issue of the present struggle shall have been decided, when he will throw himself into the strongest side?

HOUSE OF COMMONS.

Wednesday, May 3.

Motion respecting the Pelham and Montagu Packets.] Lord *Nugent* rose, for the purpose of calling the attention of the House to the oppression and injustice shown, and to the artifices employed by the Post-office against captain Perring of the Lady Mary Pelham. They had raised, he said, this case to a degree of importance that would not otherwise belong to it. The papers laid upon the table confirmed the opinion he had formerly entertained, and showed that what at first seemed neglect, was in truth system. His lordship then went into a statement of the facts of the case already before the public, regarding the sailing of the Pelham and Montagu packets in company—their being attacked by an American privateer, the Montagu at first sustaining the brunt of the action; the striking of the colours by the Montagu, the relief afforded by the Pelham, and the subsequent rewards given to captain Watkins of the Montagu, and the crew, for their gallantry. A portion of these rewards his lordship argued, ought to have been extended to captain Perring, and the crew of the Pelham, instead of which, he had been discontinued, and not even head-money had been given to his crew. After some animadversions upon the conduct of Mr. Freeling, who, the noble lord contended, had acted with partiality and unfairness, he concluded by moving, "That the Papers relating to the action between the Pelham and Montagu packets, and the Globe American privateer, which were presented to the House by Mr. Winchester upon the 23rd of February last, be referred to a Select Committee."

Mr. *Lushington* felt it his duty to oppose the motion of the noble lord. He did not charge the captain of the Pelham with cowardice, but with mismanagement; the consequence of which was, that the Montagu was much distressed and nearly taken. He then went into a statement of the facts, by which it appeared that captain Watkins had behaved with the utmost gallantry, and had been promoted to the command of the Montagu, the captain having been killed in the action. He detailed to the House the evidence taken before two Boards of Inquiry upon the subject, which, he contended, showed that captain Watkins was highly deserving of the rewards he had received.

Mr. *Preston* bore testimony to the high merits of the individual who now came before the House as a complainant, observing, that captain Perring's object was not to obtain any reward, but to vindicate his character, and secure remuneration for his crew. He said, it appeared by the evidence, and might be proved if the Committee was granted, that the colours of the Montagu were struck and not shot away, and that the conduct of the commander in firing on the American after that event was unwarrantable. The mail also, it would be proved, had been thrown overboard by the gunner of the Montagu, in the disorder in which that ship was after her colours were struck, and not by the orders of captain Watkins. It would also appear that the log-book of the Montagu had been falsified, as it was there stated that the action lasted more than an hour, which lasted only ten minutes. The Montagu had, in fact, been re-captured by the Pelham. He should therefore vote for the Committee, as the only means of doing justice to captain Perring.

Mr. *Rose* thought there was no cause for parliamentary interference in the case which had been brought before the House. It certainly appeared from the evidence, that there had been a defect of judgment in the late captain Norman, in ordering the Pelham to take her station on the lee bow of the Montagu, so that she could not bring her guns to bear on the enemy. The Montagu, therefore, bore the brunt of the action, 17 men out of her crew, which was only 24, being killed or wounded: 50 out of 80 of the American ship were killed or wounded; while only one man of the Pelham was wounded. The promotion of captain Watkins, who had so gallantly fought the ship, was justified, though it was premature. He believed it was owing to the ignorance of captain Perring, that the Pelham had not before been brought into action. He should oppose the motion.

Mr. *R. Gordon* opposed the motion, as captain Perring might, if he chose, have been tried before the regular tribunal.

Mr. *J. P. Grant* supported the motion.

Lord *Nugent*, in his reply, described the motives by which he was actuated upon this subject, namely, a desire to place on fair grounds the case of an officer who had been impeached, and in his judgment oppressed, by an office against whose decision there was no appeal but in that House itself. Indeed, he could not conceive where an officer officially slandered as captain Perring had been, could look for redress, if he could not find it in that House.

The motion was negatived without a division.

HOUSE OF LORDS.

Friday, May 5.

HELLESTON ELECTION BILL.] The order of the day for the second reading of the Helleston Election Bill being read,

The *Lord Chancellor* said, that if frequent and anxious consideration could have brought him to think that this Bill ought to pass, he should certainly have by this time been of that opinion; but the more he considered the nature of the Bill, the more he was convinced that it ought to be discussed on the principle, before they adopted any further proceedings. Considering the Bill in this view, the only motion which he could recommend to their lordships on this subject was, that the Bill should be read a second time this day six months. His lordship then repeated the objections which he had before stated. Taking the allegations in the Bill to be true, it appeared to him to be one which the House could not pass. It differed essentially from all the Bills for the punishment or remedy of such practices that had ever passed that House. There had been four bills of the description to which he had alluded; the first case, that of Stockbridge, afforded no precedent for this Bill: the next case was that of Shoreham, where it was proved that there was a society called the Christian Society, the object of which was to secure the return of members of parliament in an improper manner. This was proved against 68 of them individually, and these 68 were disfranchised; and for the purpose of preventing the recurrence of the evil, freeholders were added as voters along with those innocent persons whose franchises were continued. The case of Shoreham, then, was one in which the guilty only, on proof of the guilt of each, had been disfranchised: but this afforded no ground whatever for a Bill like the present, which went to disfranchise the whole of the electors, innocent and guilty. Then came the cases of Cricklade and Aylesbury, where none were disfranchised, not even the guilty, though to prevent the recurrence of such corrupt practices in future, the right of voting was extended to some of the adjoining hundreds. The first objection, then, was, that this was partly a bill of pains and penalties, and therefore to be proceeded upon according to those strict rules on which the House acted in the discharge of its judicial functions; and looking at the Bill as one which went to punish the innocent along with the guilty, it was impossible their lordships, in any consistency with these rules, could give it their sanction. Then another difficulty was, that, even if they were disposed to proceed with the Bill, they might pass it on evidence which the other House had not heard, and which if they had heard they might not have passed it on that ground. He did not mean to say that this was insuperable, or that their lordships were by any constitutional principle prevented from passing it on their own grounds if they thought proper, whether those grounds had been brought before the Commons or not; but in a legislative measure of this description and importance, it was desirable that the two Houses should proceed upon the same grounds. Their lordships could not pass it on the evidence sent up from the Commons, for this reason, among others, that there was hardly a page in which questions did not appear, which the House of Lords, acting on the principles which he had stated, would suffer to be put, or at least to be the foundation of any penal proceeding. It had been most justly observed by a noble lord (Grenville), who had paid great attention to this case, that though a corporation might be forfeited by the act of the majority, yet the elective franchise did not belong to the freemen in their corporate but in their individual capacity, and therefore there was no pretence for involving the innocent with the guilty. On these grounds, and on others to which he had before adverted, it appeared to him impossible for their lordships to pass this Bill. It might be said that they might make the alterations in the committee; but it was far from being a desirable course of proceeding to make the necessary alterations in the Bill after its coming from the other House, though their lordships had the power, he presumed, to do so. Where they could not hope to alter the Bill so as to make it fit to pass, it was useless to go to the committee with it; and therefore he concluded by moving, That it be read a second time this day six months.

Lord *Grenville* said, that after the attention he had paid to this Bill, and the steps he had suggested with respect to it, he thought it due to the House now to state his decided conviction, that on the principle of the Bill the course recommended by the noble and learned lord was the only one that could be at present safely adopted. The great objection in point of principle to this Bill was, that it was a bill partly of pains and penalties, and had for its object to punish the innocent as well as the guilty. He agreed with the noble and learned lord that, in this view of it, they must proceed with a rigid attention to those rules which govern them in the exercise of their judicial functions; and looking at the Bill with these rules in view, he asked, on what principle were they to punish the innocent with the guilty? The great difficulty in this novel case arose from the combining the two distinct objects of punishment and remedy in one bill; whereas they ought to be the subject of separate bills. The rules applied to them must be different, and rendered the proceeding extremely difficult where they were united in the same measure. With regard to the bringing in of a new bill, his opinion was, that considering it as a bill of pains and penalties, it ought to originate with those who constituted the grand inquest of the nation, and not with their lordships, who were more accustomed to the exercise of the judicial functions with respect to such matters. There was another objection to this measure, which was this, that no ground whatever was laid for the application of the specific remedy recommended rather than another; for when they were thus, in effect, putting an end completely to the elective franchises of the borough of Helleston,—he meant putting an end to them if the Bill were to pass,—there appeared hardly any reason why any other place as well as these Cornish hundreds might not return the two members of parliament who were before returned by this borough. If they were to proceed upon the principle of taxation, or population, or property, as at the Union, other places might have a better claim, supposing it necessary that the numbers of the House of Commons should be exactly the same as at present. He came to the consideration of this measure, with an opinion that it was one of the same description with those which had formerly passed; and, therefore, as he had before stated, with a general impression in its favour: but finding this to be quite a novel proceeding, sanctioned by no precedent, and glaringly objectionable in point of principle, his opinion was, that it ought not to be passed by their lordships in its present shape, and that it would be exceedingly difficult to make the requisite alterations and amendments, supposing they were to suffer it to proceed to the committee. It was at any rate desirable that the proper measure should originate in the other House; and for these reasons and others he concurred in the motion.

Lord *De Dunstanville* coincided in the propriety of the noble and learned lord's motion; but suggested that it would be proper to have the expenses defrayed of those witnesses who had come up, on account of the Bill, from so great a distance.

The *Lord Chancellor* observed, that what the noble lord suggested might be the subject of separate consideration.

The question was then put, and the Bill ordered to be read a second time that day six months.

HOUSE OF COMMONS.

Friday, May 5.

Property-Tax Bill.] The Chancellor of the Exchequer moved the order of the day for the third reading of the Property-tax Bill. The question having been put from the chair,

Mr. *Dickenson* rose, and said he did not think he should be performing his duty to the country, if he did not declare his hostility to this Bill. He thought it was particularly oppressive to the agriculturist, upon whose prosperity the main interests of the state depended. He lamented to state, that within the last six months this class of society had experienced the greatest hardships, and these were not alone confined to one particular county, but were felt universally throughout the country. In support of his assertion, he would give an instance which came within his own knowledge. Having heard that the farmers of the county of Somerset had been material sufferers from the distresses of the times, he had the curiosity to write to the gaoler of the county to ascertain the proportion of debtors that had come under his notice within the last six months. The result of this inquiry was as follows: on the 23d of last November, there were twenty-three debtors in prison: on December the 23d, there were thirty: on January the 23d, forty-five: on February the 23d, forty-seven; on March the 23d, forty-three; and on the 23d of the last month, fifty-two—and of that number, the proportion of farmers was one-fourth. Under such circumstances, he thought the burthen which this tax was about again to throw on this useful class of the community was highly reprehensible; and the more so from the mode of assessing their property, which was taken at three-fourths of their rental. This plan of assessment he thought peculiarly objectionable, inasmuch as no allowance whatever was made for the probable loss of the farmer in the pursuit of his business. The profits of the farmer, he contended, were as easily ascertained as those of a merchant or tradesman, and he saw no reason why he should not have similar advantages with those individuals. Unfortunately, however, he had no means of escaping the tax, whatever might be the extent of his loss, or however disproportionate his profits might be to the scale upon which his assessment was taken. These observations struck him so forcibly, that he considered it of the utmost importance, if the Bill before the House was to pass, that it should pass in a shape as little objectionable as possible. With this feeling, he wished to propose an amendment, the object of which would be to render the farmer liable to the same mode of assessment as the merchant or trader.

Alderman *C. Smith* did not consider that the farmers had more reason to complain of the operation of the tax than any other class of individuals. With respect to the principle of the tax itself, he considered, under existing circumstances, and the necessity of empowering his Majesty's ministers to uphold the interests and general welfare of the country, that it was unobjectionable.

Mr. *Horner* regarded the tax as not more injurious to the commercial than to all the other great interests in which the safety and stability of the state were involved. He feared that the description given by his hon. friend of the county in which he resided was but too generally applicable, and certainly understood that in Scotland the tenantry were in a declining state. No one who looked upon the prosperous state of agriculture as the source and fountain-head of our national resources, could contemplate this state of things without alarm for the consequences. The opinions of the House had not long since been divided upon a measure intended for the relief of the agricultural interest, but there was then no dispute as to the fact of the distress which existed. The right hon. the Chancellor of the Exchequer, however, was now about to establish, without any modification, an imposition, which in their flourishing condition was found grievous and oppressive; and which, therefore, in their present circumstances of embarrassment, must prove odious and intolerable. It was a singular time for selecting rent as the ground of assessment to a tax on income, when the difficulty or inability of the farmer to pay his rents at present was notorious and undisputed. If rent was in some years a fair criterion of farming profits, it could not be fair in a year during which there were no profits. If farmers could produce their accounts in the same regular form in which the accounts of commercial men were preserved, he could not imagine what objections existed against administering to the former the same relief, and applying the same regulations as those under which the assessment of trading profits was conducted. The right hon. the Chancellor of the Exchequer might turn a deaf ear to the complaints against a measure not more injurious to individuals than dangerous to the true interest of the state; but he would venture to predict that those complaints would soon reach him in a far different tone, and in a tone far less desirable with a view to the general advantage of the country.

The *Chancellor of the Exchequer* said, that in point of form the amendment proposed by the hon. gentleman could not then be received: he was not at all desirous of taking shelter, however, under that circumstance, conceiving, as he did, that the proposition was one which admitted of the best possible answer. If it were not so, the House could easily find a remedy for the evil complained of by a separate bill. Although he was ready to admit that the agriculture of the country had for some time past been in a state of depression, yet he by no means thought the remedy proposed by the hon. gentleman was one likely to produce any very beneficial effect. If ever there was a time in which the House could justly be accused of not paying due attention to the interests of the agriculturist, he thought it was not in the present session. When the Property-tax was first introduced, great difficulties were encountered in suggesting a mode of ascertaining the profit of the farmer. At first it was proposed to assess that class of individuals in the same manner with other persons liable to the tax; but when it was considered, that upwards of a million of returns were made annually, it was at once concluded that it would be impossible for the commissioners to give that sort of attention to those returns, which, to render the tax at all productive, would be necessary. It was at length, therefore, resolved, as the most equitable mode of proceeding, to take the assessments upon that general average of profit as compared with the rent, which experience had justified. This, he imagined, would still be found the best as well as the fairest plan. It was for the House to decide, however, whether the amendment of the hon. gentleman was now admissible. It appeared to him, that, in point of form, no amendment could now be introduced, as the committee on the Bill had only been instructed to revive and continue it.

The *Speaker* said, that at that moment

no question could arise beyond that before the House, namely, whether the Bill should then be read the third time or not? If the Bill was read the third time, an opportunity would then offer for proposing any amendment consistent with the title of the Bill.

Mr. *Frankland Lewis* agreed to the measure in its present state, only on the principle of its enactment for a limited time, and that if necessity should demand its continuance, a full opportunity would be afforded of discussing what improvements it was capable of receiving. He had always thought the principle of assessment applied to the profits of cultivation most preposterous: it, in fact, resolved itself into this, that if the tenant did not pay his proportion, the landlord must pay it for him. Now, if it was seriously meant that the proprietors of land ought to pay 15 or 20 instead of 10*l.* per cent., the object should be stated openly, and fairly discussed. For his own part, he could conceive no argument by which such a principle could be justified. There was a prevalent belief, and nothing could be more erroneous, that the profits of stock or capital vested in the cultivation of land were very large. There were, undoubtedly, some very wealthy farmers; but he could state, on good authority, that in many counties both of England and Scotland, the farmers tilled their land with their own hands, and encountered the greatest difficulties, after paying taxes and poor-rates, in making out their subsistence. He was satisfied that in many instances, a tax of 1*s.* 6*d.* in the pound upon the rent, had amounted to not less than 35*l.* per cent. on the farmer's profits.

Mr. *Calcraft* concurred with the last speaker, that the measure was liable to many objections, not only as it affected commercial and farming capitalists, but as it affected professional men, and the profits of skill and industry. He should give it his support at present, because he believed no substitute could be found for it, and because he did not believe it could be so modified this year as to meet the very different wishes of the different classes of the community.

Mr. *D. Giddy* wished to ask the Chancellor of the Exchequer, whether any abatement would be made to landlords and tenants in the assessment under this Bill, for reductions made in their rents during the present period of distress?

The *Chancellor of the Exchequer* answered, that both landlord and tenant would certainly by this Bill be entitled to every fair deduction under such circumstances.

Mr. *Grenfell* explained, that he meant the remarks he had made on commissioners, on a former occasion, to apply only to those who belonged to the Board of Taxes in Somerset-place.

Sir *M. W. Ridley* observed, that his objections to the measure were insuperable, and he should therefore take the sense of the House upon it. He looked at it in no other light than as a war tax; and believing the war to be unnecessary, he would not put into the hands of ministers the facilities and the temptation for carrying it on. If the Executive had less means, they would have less disposition for again plunging the country into hostilities; and he, for one, would rather pay towards the limited expense of maintaining an armed truce than contribute to the wasteful expenditure of an impolitic and unnecessary war: he, for one, would rather suffer the "ills we have, than fly to others which we know not of;" and with these impressions should move that the Bill be read a third time that day six months.

Mr. *Lockhart* considered the Bill necessary to strengthen the hands of Government with the view of preventing an unnecessary effusion of blood. He thought, however, that some method should be adopted to relieve the agriculturist from the oppressive manner in which the Bill at present bore on his interests.

Sir *John Newport* said, he could not conceive how many of those gentlemen, who at its first introduction had opposed the Bill, could now reconcile themselves to their support of it. It had been said by the Chancellor of the Exchequer, as a reason for not making any modifications, or giving any opportunity for appeal against the assessments, that if complaints were listened to, a million would be poured in. Was the House, therefore, to pass a measure which was so widely oppressive, and was it to be stated in support of legislative injustice, that it was not limited in its extent? His own objection to the tax was to the principles—that it was unequal and oppressive in its operation—that it granted power to certain persons, which, in a free country, should never be granted; but he did not see how those who had grounded their support to it, on the idea that they would be able to obtain modifications, could persist in their support when the Bill was to be read a third time without those modifications, which from the first, to do him justice, the Chancellor of the Exchequer had refused to grant. Neither could he consent to propagate so manifest a delusion, that by passing the Tax, the House showed that the resources of the country were inexhaustible, when their tottering state, even with the aid of this most oppressive measure, must have been manifest to every one who attended the debates of the House. He should, therefore, vote against the Bill.

Mr. *Sturges Bourne* wished to ask the right hon. baronet, whether he would prefer the plan of resorting to the funding system, to that of raising the supplies within the year; and whether he thought it was possible to raise the supplies within the year by any other principle of taxation? With respect to the facilities which the tax furnished to the Executive Government for entering upon and carrying on wars, he had often heard the same argument formerly applied to the funding system; and the character of the Income-tax originally was, that it would serve to teach the country what were the real consequences and cost of war. As to the observation of the right hon. baronet, that there were no circumstances which could justify the present measure, he was considerably surprised at it, as he understood him to have concurred in it, in the year 1806. The right hon. baronet had voted for the Address, promising to enable Government to carry on war, if it should be necessary; and yet he now opposed the only means by which war could be effectually maintained.

Sir *John Newport* explained, that he had not said no circumstances, but that scarcely any circumstances could justify such a tax as that now proposed. He begged also to state, that his vote on a former night was given under a delusion.

Mr. *Plunkett* said, he could not concur with his right hon. friend (sir J. Newport) in opposing the third reading of this Bill; because, by doing so, he should be withdrawing that credit from the Executive Government which he had already confided in them. When last he was in the House, his right hon. friend, as well as the House in general, had concurred in voting an Address to the Prince Regent, declaring their conviction of the necessity of augmenting our forces by sea and land, and of a cordial co-operation with our Allies. Was it the pleasure of the House that this pledge should be redeemed? If so, on what ground was the present tax opposed? He did not wish to anticipate the question of peace or war, however willing he might be at a proper season to deliver his sentiments upon that subject; but he should be glad to know whether any person was of opinion, that without this tax, an augmentation of our forces by sea and land could be effected? Was it the opinion of his right hon. friend, or of any other member in the House, that we should disarm at the present moment? Would his right hon. friend say, whether, situated as we at present were with regard to France, we should desist from an augmentation of our forces by sea and land—or whether, in a state of offence or defence, this measure was not necessary? He was satisfied his right hon. friend acted from a conscientious feeling of duty; he should think he departed from his duty, however, if he failed to enable his Majesty's Government to do that which he had already declared he considered necessary. His right hon. friend had declared, that his vote of a former night had been obtained by delusion. Recurring to the vote which he (Mr. P.) had given on that night, he could only say he was under no delusion—he was not imposed upon or deceived. The ground of deception stated by his right hon. friend was, that when called upon to vote the resolution of an augmentation of our forces by sea and land, by the noble lord (Castlereagh), that noble lord had not stated to the House, that at that time he was in possession of the Treaty with the Allies, which had been ratified on the part of this country. His (Mr. Plunkett's) opinion was, that if the noble lord had communicated that Treaty to the House, he would have departed from his duty, because he would have thereby evinced a determination to go to war, and have induced the other Powers of Europe, to call more imperiously on this country for its assistance—consequences which would not have been grateful to his right hon. friend. So far as the noble lord had gone, the question of peace or war was doubtful; and the noble lord only pledged the House to augment our forces by sea and land, and cordially to co-operate with our Allies in whatever measures the safety of Europe might seem to require. Parliament was now called upon to fulfil that pledge—for one, he was willing to abide by his vote of a former night, and he would vote the same way, if the opportunity occurred again.

Mr. *W. Smith* said, that the powers granted under the Property tax were such as had never been found tolerable at any former period. They had been granted with a tax at the time of King William, but the tax was soon dropped. The greatest recommendation to the Bill was that it would continue but for a year.

Mr. *J. P. Grant* opposed the motion, and observed that no circumstances would justify the imposition of a tax which did not attach solely on property or expenditure, but fell with equal severity on the annuitant and on the freeholder, on the professional man and the man of property.

Mr. *Wynn* was of opinion, that it was not because the time of receiving petitions had passed, that the different towns had not met for the consideration of this measure. It was still competent for them to meet, and instruct their representatives how to act; but the real fact was, that the same honourable motive which induced the country to submit to it on a late occasion, now fully subsisted to reconcile them to its revival. He was not so sanguine as an hon. alderman in the idea, that the tax could be made "a comfortable thing" to the people; at the same time he regretted, in justice to their feelings, that the noble lord's (Milton) proposition, on a former night, to empower the committee to amend the Act, if they thought proper, had not met the concurrence of the House. If the Act required modification, its existence being limited to one year ought not to prevent the amendment from taking place. As the Bill had gone on so far as the third reading, and as no alternative remained, but either to adopt it as it stood, or reject it altogether, he felt it his duty to support the tax, believing it the only one likely to be effective under the present crisis of public affairs.

The House then divided:

For the third reading of the Bill 160
Against it 29
Majority................... —131

The Bill was then read a third time, and passed.

List of the Minority.

Atkins, J.
Atherly, A.
Brand, hon. T.
Bennet, hon. H. G.
Calvert, C.
Cavendish, C.
Grant, J. P.
Gordon, R.
Greenhill, R.
Hornby, E.
Lefevre, C. S.
Lloyd, J. M.
Langton, Gore
Monck, sir C.
Moore, P.
Martin, J.
Mackintosh, sir J.
Newport, Sir J.
Plummer, W.
Ponsonby, rt. hon. G.
Piggott, sir A.
Rowley, sir Wm.
Russell, lord Wm.
Shaw, R.
Stanley, lord
Smith, W.
Walpole, hon. G.
Whitbread, S.

TELLERS.
C. C. Western
Sir M. W. Ridley.

FOREIGN SLAVE TRADE BILL.] The House having resolved itself into a committee on the Bill to prohibit British subjects, or persons resident in the United Kingdom, from lending capital or doing other acts to assist the carrying on of the Slave Trade to colonies belonging to foreign states,

Mr. *Baring* rose to object to the Bill in its present state, particularly as it was to have an immediate operation in the different quarters of the world. He was ready to concur in any measure which tended to crush this odious traffick. Let the measure of punishment be capital, if they pleased, although he saw no reason to think the last Act had proved inoperative; but let it not at once confound the innocent with the guilty. The clause to which he particularly objected, was that which rendered it penal, and punished as felons, those who lent any money upon mortgage, bond, or loan, in any of the islands which still trafficked in slaves. This unqualified sweep would at once extinguish the trade which existed between this country and the Spanish settlements; for it was impossible to carry on this trade without that species of credit, which would be made criminal by this Act.

Mr. *Barham* suggested the propriety of allowing the Bill to go through its present stage; he would then be ready to adopt any suggestion which his hon. friend might deem expedient.

Mr. *Baring* suggested, that with reference to the time of the Bill's operation, "from and after the 1st of August," would be a desirable introduction.

Mr. *Barham* replied, that the reason why he wished it to stand from the present period was, that there were persons now in London endeavouring to procure money for the Slave traffick, who would thereby be deterred from following up their speculation.

Mr. *Forbes* said, that the 1st of August would not be a sufficient time for our subjects in the East Indies.

Sir *J. Mackintosh* was of the same opinion.

Sir *J. Newport* could see no necessity for this notice, as the Legislature was not introducing a new punishment for a new offence, but augmenting a penalty already enacted for an old one.

Mr. *Finlay* thought it advisable that persons who had pecuniary concerns with the colonies, should know how they might be affected by this Act.

Mr. *Douglas* thought an arrangement might be made which would unite the wishes of all parties.

Mr. *W. Smith* agreed with his right hon. friend (sir J. Newport), that there was no necessity for granting this concession—it would be quite different if they were about to punish a new species of offence. They might as well expect, that, if an increase of punishment was about to be attached upon pick-pockets, those worthy persons should have the privilege of their ingenuity with impunity, until they could be courteously informed of the additional penalty which they would incur. If the Act was already forbidden, that was notification enough. Suppose, for instance, the present penalty for being connected with the Slave Trade, was *50l.* per man, and it was intended to make it *100l.* would it be deemed necessary to stay the enactment until due notice were served upon the probable delinquents? The principle was inadmissible, and seemed, indeed, to savour a little of that spirit which looked on the Slave Trade as if it were not a crime.

Mr. *Baring* regretted that any thing which fell from him in the committee, could be so misconstrued as to imply his toleration of so odious a crime. It was a little too hard that gentlemen who merely wished to amend the form of a measure, should be stigmatised with a charge so seriously affecting their character, as that of being friendly to this detestable traffick. They only wanted that the clause should be filled up consistently with justice, and that an Act passed in England on the 5th of May, should not commence its operation in India, on the day after. It had been argued as if it were a mere question of a pecuniary nature, when, in fact, it was the application of a crime of felony, towards persons who had no knowledge of the consequences they were incurring, by a disposal of money in the fair course of trade with those islands, but who were thereby exposed to the infliction of a severe punishment, for the commission of an offence of which they were wholly ignorant. Was this consistent with common sense, common justice, or common law?

Mr. *Douglas* thought the case of offenders under the present Act, was different from that of persons who had notoriously violated the law.

Mr. *D. Giddy* contended for the safe principle of promulgating a law, before it was called into active operation.

Mr. *Forbes* disavowed having any interest in countenancing the Slave-trade, but thought it advisable that his friends in the Cape of Good Hope and the East Indies should be aware of the alteration proposed, for the purpose of guarding themselves against its consequences.

Mr. *W. Smith* applauded the manly feeling which pervaded all who had already spoken upon this subject, and fully disavowed having meant to cast any improper reflection on any of those with whom he differed, particularly his hon. friend (Mr. Baring).

After a few words from lord Milton and sir James Mackintosh, relative to the regulation of the foreign boundaries, the following clause was adopted: "That the Bill should have operation within three months after its enactment, in all parts of Europe, Africa, the West Indies, and the Eastern coasts of the Mediterranean; and, in six months, in all the parts of the world beyond the Cape of Good Hope, Cape Horn, the East Indies," &c.

On the clause making it felony in any British subject to lend money on the security of any land or other property in any foreign island or colony, in which the Slave-trade is not abolished,

Mr. *Baring* objected strongly to the extent of this provision, because it would serve to put an end to all traffick on our part with the places alluded to, for without credit trade could not go on. There were, it was notorious, several British and other merchants in those places, who were engaged in many commercial transactions unconnected with the Slave-trade; and would it be just to prohibit British subjects from making any advance to, or receiving any security from such places? He was aware of the motives which gave birth to this clause. An apprehension prevailed among British planters, and probably in the mind of the hon. mover, that British merchants were in the same habit of making loans to the planters of foreign colonies as to our own planters, but this he knew to be an unfounded, or at least, a very exaggerated apprehension. From the Brazils, however, our merchants were obliged to receive securities to a considerable amount in return for our exports, and our trade from that quarter must cease, if the acceptance of such securities were made a felony. Another point to which he objected, was the summary tribunal, which was to judge of the guilt of transactions, often, from their nature, very complicated. The supposed offenders were to be tried in the same manner as pirates; that is, it was competent for any naval captain, afloat or ashore, to call together a council of seven persons, not under the rank of mates (which was little better than a common sailor's station), and to decide as they thought proper upon the quality of an offence for which such a punishment was prepared. Let the Act be made as strong as possible to visit those who might be found connected with the Slave-trade, but let it not be open to the introduction of so many abuses.

Mr. *Wynn* proposed the addition of the words "or other dominions or territories," in order to render the clause sufficiently comprehensive.

Mr. *Baring* thought the clause unnecessarily extensive, even with a view to the hon. mover's object, and, declaring that he should have no objection to the measure, if duly limited, proposed the insertion of these words, "for the purpose of carrying on the Slave-trade:" To this trade, he was as averse as any gentleman in that House; but he felt it just and expedient to protect other commercial dealings from the visitation of this law.

Mr. *Barham* opposed this amendment. He first corrected a mistake of his hon. friend, relative to the mode of trying offenders. The tribunal which had been stated, could only exist where the parties were tried on the high seas. If the amendment were adopted, the whole Bill would be rendered nugatory. It would be then a declaratory, not a binding enactment. With reference to the trade which the hon. member supposed would be interrupted by this Bill, unless it had lately become greatly altered indeed, so far from protecting it, its discouragement would, in a political sense, be highly salutary. The House would not, he trusted, after their efforts for twenty years, enter into this question with a view of discussing it upon its quantum of profit, instead of its quantum of guilt. The clause as it then stood was actually necessary, otherwise the greatest temptation to evasion would be afforded, with the utmost facility of success. The Bill was, in fact, to prevent, as far as legislative interposition could accomplish, the crime of the Slave-trade where it still existed. Suppose, for instance, a planter at Cuba, St. Croix, or any other place, wants to raise money from a merchant to carry on this traffick—they knew well a respectable individual would not enter into a connexion of this sort, but they also knew there were many others who would. The planter will not say, "Lend me 10,000*l.* to buy 400 slaves," for he knows the merchant could not make that contract; but he will say, "You shall have a mortgage for that sum, on your own terms, upon my estate." This at once decided the matter—the money bargain was closed. Now let the House look to the temptation for entering into such contracts. The price of slaves for Cuba, including every expense of risk, except that which this Bill imposed, was about 25*l.* each: for our own islands, the price was 100*l.*; it followed, therefore, that the price of labour was four times cheaper in the former, and the profit four times as great as in our own islands. If it created a profit of 10 per cent. in the latter, it produced 40 in the other, thereby leaving to the planter and merchant a dividend of 20 per cent. By British capital, all the Spanish Slave-trade, a great part of the Portuguese, and one half the Danish, was carried on. Eleven millions had been sent to Demerara upon a former occasion to form a capital for this trade, and considerable sums had been sent out since the last peace for a similar purpose. He was well informed, that there were persons in this town at the present moment negociating for loans, with a view to gain by the nefarious traffick to which the Bill applied. But it was impossible that Parliament would allow such speculations to succeed; for, exclusive of its desire to discountenance the Slave-trade, there were various considerations of general policy applicable to both war and peace, which should urge us to discourage the investment of British capital in foreign dominions. He concluded with observing, that the original clause would render the general measure effective, show the world that we were sincere in our professions, and anxious to do what we called on other nations to perform.

Mr. Serjeant *Onslow* thought the adoption of the amendment would render the Bill a solemn mockery, and make it wholly nugatory. He said that Spain and Portugal were more than usually desirous to stock their colonies with slaves, which they never could accomplish without the assistance of British capital. In support of this opinion, the learned Serjeant mentioned the sentiments of the Spanish ambassador. In allusion to Cuba particularly, British capital was advanced to proprietors in that island, upon mortgages of land and other property; and by means of that, Cuba was rapidly advancing in agricultural improvement, and in the increase of its slaves. If the committee did not pass the Bill as it originally stood, they would hold out a premium to other nations, to the detriment of our own colonies. But, independent of all commercial considerations, the Bill ought to receive their assent, as it would be a complete answer to all the calumnies thrown out by other countries, on the motives which influenced England in desiring the general abolition of the Slave Trade, and who said that it was a measure rather of policy than of humanity. He declared, that sooner than admit the amendment, he would reject the Bill altogether.

Mr. *Marryat* thought that the other clauses of the Bill were effectual and valid provisions, and would have a beneficial operation, even though the particular one under discussion, to which he had a decided objection, were thrown out. If that clause were agreed to, it would interdict all our trade with the Brazils, the Caraccas, and Buenos Ayres; and when it was remembered, according to documents before the House, that the amount of that trade was ten millions annually, would it be said it was not an object worth retaining? He was at a loss to conceive for what purpose it was introduced. It could not be for the sake of abolishing the Slave-trade, because it related to a trade which was perfectly innocent and legitimate.

Sir *James Mackintosh* said, he really could not comprehend the proposition that British capital being vested in the transactions of foreign planters in islands where the Slave-trade was still carried on, did not tend to encourage and promote that trade. Suppose those planters, by the use and application of that capital, were enabled to increase their plantations five or tenfold, would they not require a proportionate increase of slaves to cultivate the soil? Would any man say, that permitting such an application of British capital was not perpetuating that detestable traffic? But it was doing more also; it was positively affording a premium on the produce of those islands, belonging to governments which had not yet abolished the Slave-trade, and, at the same time, inflicting a penalty on the colonies of such sovereigns as had listened to the voice of justice and humanity, spoken to them by the British nation. He was quite sure that the predictions of commercial loss that would be sustained by abolishing that supplementary and auxiliary Slave-trade, would prove as groundless as the prophecies that were uttered when the original measure was discussed. If they rejected the principle of the clause, they might as well reject the Bill, for where the strength of temptation, and the facility of evasion were so great, nothing but making the practice penal could prevent its existence.

Mr. *Douglas* contended, that while the Spanish trade was supported by British capital, it was England who carried on the Slave-trade; and said that it was the opinon of sir Henry Wellesley, that the Spanish trade was carried on solely by British capital. He thought the House ought to consider whether the clause was necessary, and if necessary, it ought to be adopted. For his part, he conceived it his duty to connect it with the original abolition.

Mr. *Baring* lamented that the gentlemen who had opposed the amendment had such little practical knowledge of trade, for he was convinced that their objections arose from misconception. He disclaimed every wish of increasing the Slave-trade, and believed, most conscientiously, that not an additional slave would be created by it. He could not think any commercial advantages a sufficient justification for the revival of that traffick. He said, that the Slave-trade was regarded with the utmost abhorrence by every English merchant, and nothing could induce them to afford it the least support; but he was convinced, that if the clause in the Bill were known generally, every commercial body in England would send petitions against its enactment.

Sir *S. Romilly* argued against the amendment, which, he said was a solemn mockery, and tended to destroy the principle of the Bill. He asked, would any man in lending his money insist on knowing for what purpose it was designed? and contended, that by permitting money to be borrowed on any security, would facilitate the stocking of the Spanish islands with slaves. He objected to the extent of punishment proposed in the Bill; felony was much too severe, as it was attended with the forfeiture of all a man's goods and chattels. This, he was aware, was the usual routine of legislation; but it arose from the inattention of gentlemen to its nature, and by its extreme severity, rendered many laws totally ineffectual. He thought the offence should be designated a misdemeanour, punishable by fine and imprisonment; the forfeiture being to the amount of two or three times the sum advanced.

Mr. *W. Smith* thought that the object would be as much defeated by allowing those securities to be taken for goods sold, as if it was for money lent. It would require no great ingenuity or contrivance to lend money to promote the Slave-trade, under the appearance of sending goods to the Spanish colonies, which were to be secured by mortgage.

Mr. *Marryat* said, that it was often necessary, in payment for goods sent out, to take such security as could be got. No British merchant would voluntarily lend money on the security of Spanish plantations, as the legal rate of interest there would not reimburse them. To prevent British merchants, however, from getting any security for the payment of goods sent out there, would be highly injurious to the general interests of British trade.

Mr. *Forbes* stated his reasons for supporting the amendment; he conceived that the original clause was attended with many disadvantages, without attaining the great object it professed to have in view. He was aware that no British merchant would advance capital to support the Slave-trade, but there was nothing to prevent the application of it indirectly to that purpose.

Sir *J. Newport* supported the clause. This country, he said, had already made great and meritorious sacrifices for the destruction of the trade. In order to convince the other nations of Europe that we were thoroughly sincere, he thought we should not object to this further sacrifice.

Mr. *Barham* complained that gentlemen would not assist him in framing such amendments as would attain the object of their general wishes. He would, however, with a desire of gratifying all, propose to the committee, that no security should be taken of lands, houses, slaves, or growing crops, leaving still open all the floating capital. This, he hoped, would meet their approbation.

Mr. *Wilberforce* supported the clause. As to what had been said of the Spanish laws being an obstruction to British merchants lending on such security, it must be recollected, that the Spaniards could alter their laws when it suited their interests. They had very lately, in the case of the Slave-trade, altered their laws, so as to allow slaves to be imported in foreign ships.

Mr. Serjeant *Onslow* said, that a persevering legislature would bear down every attempt to evade their enactments. He thought that if they now showed themselves determined to apply a remedy to the evil pointed out to them, there was no danger of their not being able to prevent an evasion of their laws.

The Committee divided: For the Amendment 7; Against it 52. Mr. Barham then proposed his amendment on the original clause, to which Mr. Baring objected, and proposed to amend the amendment, by leaving out 'growing crops and buildings.'

Sir *James Mackintosh* said, the whole object of the clause would be defeated, if it did not apply to growing crops. He hoped the amendment would be negatived.

Mr. *Marryat* said, that if the Bill were to pass without this amendment, it would destroy the foundation of all our commerce with the Spanish and Portuguese colonies. The great advantage possessed by Great Britain in trading with these colonies consisted in the power of making advances.

Mr. *Barham* thought the conduct of the gentlemen who opposed the clause was most extraordinary. He had agreed to leave out ships, buildings, and other matters which they considered objectionable, but this would not satisfy them; they now demanded that growing crops should be exempted from the operation of the Bill; to which he could not consent.

Mr *Baring* contended, that the exemption of growing crops, while it would be a great convenience to the commerce of the country, would not at all interfere with the object of the hon. gentleman.

Mr. Serjeant *Onslow* opposed the amendment.

Mr. *Finlay* conceived, if the security of the growing crop were not excepted, the effect would be to curtail very important branches of commerce.

The Committee then divided: For the Amendment 11; Against it 49.

Sir *James Mackintosh* moved an amendment to the clause, providing that persons offending against the Act should be treated as felons, which went to enact that they should be punished by fine and imprisonment; the fine in all cases to be three times the amount of the sum lent; a moiety of it to go to the King, and the other moiety to the informer, provided the information should be given within five years after the commission of the offence.

A desultory conversation took place between sir J. Mackintosh, Mr. Serjeant Onslow, and Messrs. Bathurst, J. P. Grant, Baring, Finlay, and Marryat, which ended in sir J. Mackintosh agreeing to substitute three years instead of five, and omitting any mention of action for debt. The clause, thus amended, was carried. On the clause, pointing out the mode of trial for offenders against the provisions of the Bill, being read, Mr. Baring objected to it, as trenching on the liberty of the subject. Unless some learned gentleman could explain it satisfactorily to him, he should divide the committee on it. After some observations from Mr. Barham, Mr. J. P. Grant, and sir J. Mackintosh, the Committee divided: For the clause 33; Against it 11. The House then resumed, and the report was ordered to be received on Tuesday.

OFFICIAL COMMUNICATION TO THE RUSSIAN AMBASSADOR RELATIVE TO THE DELIVERANCE AND SECURITY OF EUROPE.] Lord Castlereagh moved, That an humble Address be presented to his royal highness the Prince Regent, that he will be pleased to give directions, that there be laid before the House a paper, intituled "Official Communication made to the Russian Ambassador at London on the 19th of January 1805, explanatory of the views which his Majesty and the Emperor of Russia formed for the deliverance and security of Europe." The motion was agreed to, the said Paper was laid on the table of the House, and is as follows:

OFFICIAL COMMUNICATION made to the Russian Ambassador at London, on the 19th January, 1805, explanatory of the views which his Majesty and the Emperor of Russia formed for the deliverance and security of Europe.

The result of the communications which have been made by Prince Czartoriski to his Majesty's Ambassador at St. Petersburgh, and of the confidential explanations which have been received from your Excellency, has been laid before the King; and his Majesty has seen with inexpressible satisfaction, the wise, dignified, and generous policy, which the Emperor of Russia is disposed to adopt, under the present calamitous situation of Europe. His Majesty is also happy to perceive, that the views and sentiments of the Emperor respecting the deliverance of Europe, and providing for its future tranquillity and safety, correspond so entirely with his own. He is therefore desirous of entering into the most explicit and unreserved explanations on every point connected with this great object, and of forming the closest union of councils, and concert of measures, with his Imperial Majesty, in order, by their joint influence and exertions, to insure the cooperation and assistance of other Powers of the continent, on a scale adequate to the magnitude and importance of an undertaking, on the success of which the future safety of Europe must depend.

For this purpose, the first step must be, to fix as precisely as possible, the distinct objects to which such a concert is to be directed.

These, according to the explanation given of the sentiments of the Emperor, in which his Majesty entirely concurs, appear to be three:

1. To rescue from the dominion of France those countries which it has subjugated since the beginning of the Revolution, and to reduce France within its former limits, as they stood before that time.

2. To make such an arrangement with respect to the territories recovered from France, as may provide for their security and happiness, and may at the same time constitute a more effectual barrier in future against encroachments on the part of France.

3. To form, at the restoration of peace, a general agreement and guarantee for the mutual protection and security of different Powers, and for re-establishing a general system of public law in Europe.

The first and second objects are stated

generally, and in their broadest extent; but neither of them can be properly considered in detail without reference to the nature and extent of the means by which they may be accomplished.—The first is certainly that to which, without any modification or exception, his Majesty's wishes, as well as those of the Emperor, would be preferably directed, and nothing short of it can *completely* satisfy the views which both Sovereigns form for the deliverance and security of Europe. Should it be possible to unite in concert with Great Britain and Russia, the two other great military Powers of the Continent, there seems little doubt that such a union of force would enable them to accomplish all that is proposed. But if (as there is too much reason to imagine may be the case) it should be found impossible to engage Prussia in the Confederacy, it may be doubted whether such operations could be carried on in all the quarters of Europe, as would be necessary for the success of the whole of this project.

' The second point of itself involves in it many important considerations. The views and sentiments by which his Majesty and the Emperor of Russia are equally animated in endeavouring to establish this concert, are pure and disinterested.

The first view, therefore, with respect to any of the countries which may be recovered from France, must be to restore, as far as possible, their ancient rights, and provide for the internal happiness of their inhabitants; but in looking at this object, they must not lose sight of the general security of Europe, on which even that separate object must principally depend.

Pursuant to this principle, there can be no question that, whenever any of these countries are capable of being restored to their former independence, and of being placed in a situation in which they can protect it, such an arrangement must be most congenial to the policy and the feelings on which this system is founded: but there will be found to be other countries among those now under the dominion of France, to which these considerations cannot apply, where either the ancient relations of the country are so completely destroyed that they cannot be restored, or where independence would be merely nominal, and alike inconsistent with security for the country itself, or for Europe: happily, the larger number is of the first description. Should the arms of the Allies be successful to the full extent of expelling France from all the dominions she has acquired since the Revolution, it would certainly be the first object, as has already been stated, to re-establish the republics of the United Provinces and Switzerland, the territories of the King of Sardinia, Tuscany, Modena, (under the protection of Austria), and Naples. But the territories of Genoa, of the Italian republic, including the three Legations, Parma, and Placentia; and on the other side of Europe, the Austrian Netherlands, and the States which have been detached from the German Empire on the left bank of the Rhine, evidently belong to the second class. With respect to the territories enumerated in Italy, experience has shown, how little disposition existed in some, and how little means in any, to resist the aggression or influence of France. The King of Spain was certainly too much a party to the system of which so large a part of Europe has been a victim, to entitle the former interests of his family in Italy to any consideration; nor does the past conduct of Genoa, or any of the other States, give them any claim, either of justice or liberality. It is also obvious that these separate petty sovereignties would never again have any solid existence in themselves, and would only serve to weaken and impair the force which ought to be, as much as possible, concentrated in the hands of the chief powers of Italy.

It is needless to dwell particularly on the state of the Netherlands. Events have put out of the question the restoration of them to the House of Austria; they are therefore necessarily open to new arrangements, and evidently can never exist separate and independent. Nearly the same considerations apply to the Ecclesiastical Electorates, and the other territories on the left bank of the Rhine, after their being once detached from the Empire, and the former possessors of them indemnified. There appears, therefore, to be no possible objection, on the strictest principles of justice and public morality, to making such a disposition with respect to any of these territories as may be most conducive to the general interests; and there is evidently no other mode of accomplishing the great and beneficent object of re-establishing (after so much misery and bloodshed) the safety and repose of Europe on a solid and permanent basis. It is fortunate too that such a plan of arrangement as is in itself essential to the end proposed, is also likely to contribute, in the greatest degree, to secure the means by which that great end can best be promoted.

It is evidently of the utmost importance, if not absolutely indispensable for this purpose, to secure the vigorous and effectual co-operation both of Austria and Prussia; but there is little reason to hope, that either of those Powers will be brought to embark in the common cause, without the prospect of obtaining some important acquisition to compensate for its exertions. On the grounds which have been already stated, his Majesty conceives that nothing could so much contribute to the general security, as giving to Austria fresh means of resisting the views of France on the side of Italy, and placing Prussia in a similar situation with respect to the Low Countries; and the relative situations of the two Powers would naturally make those the quarters to which their views would respectively be directed.

In Italy, sound policy would require, that the power and influence of the King of Sardinia should be augmented, and that Austria should be replaced in a situation which may enable her to afford an immediate and effectual support to his dominions, in case of their being attacked. His Majesty sees with satisfaction, from the secret and confidential communications recently received through your Excellency, that the views of the Court of Vienna are perfectly conformable to this general principle, and that the extension at which she aims, might not only safely be admitted, but might even be increased, with advantage to the general interest. In other respects his Majesty entirely concurs in the outline of the arrangement which he understands the Emperor of Russia to be desirous of seeing effected in this quarter. His Majesty considers it as absolutely necessary for the general security, that Italy should be completely rescued both from the occupation and influence of France, and that no powers should be left within it, who are not likely to enter into a general system of defence for maintaining its independence. For this purpose, it is essential, that the countries now composing what is called the Italian Republic, should be transferred to other Powers. In distributing these territories, an increase of wealth and power should undoubtedly be given to the King of Sardinia; and it seems material that his possessions, as well as the Duchy of Tuscany (which it is proposed to restore to the Grand Duke), should be brought into immediate contact, or ready communication with those of Austria. On this principle, the whole of the territories which now compose the Ligurian Republic, might, it is conceived, be annexed to Piedmont.

Supposing the efforts of the Allies to have been completely successful, and the two objects already discussed to have been fully obtained, his Majesty would nevertheless consider this salutary work as still imperfect, if the restoration of peace were not accompanied by the most effectual measures for giving solidity and permanence to the system which shall thus have been established. Much will undoubtedly be effected for the future repose of Europe by these territorial arrangements, which will furnish a more effectual barrier than has before existed against the ambition of France. But in order to render this security as complete as possible, it seems necessary, at the period of a general pacification, to form a treaty to which all the principal Powers of Europe should be parties, by which their respective rights and possessions, as they shall then have been established, shall be fixed and recognized; and they should all bind themselves mutually to protect and support each other, against any attempt to infringe them:—It should re-establish a general and comprehensive system of public law in Europe, and provide, as far as possible, for repressing future attempts to disturb the general tranquillity; and above all, for restraining any projects of aggrandizement and ambition similar to those, which have produced all the calamities inflicted on Europe since the disastrous æra of the French Revolution.

HOUSE OF LORDS.

Monday, May 8.

PROCLAMATION OF LOUIS 18.] The Earl of *Darnley* said, that he wished to put a question to the noble lord opposite, on the subject of a document that had appeared in the public Journals. He could not, perhaps, regularly inquire whether it were an authentic document; but he begged to be informed, whether the Declaration of Louis 18 was authorized by his Britannic Majesty?

The Earl of *Liverpool* replied, that it was not possible for him, consistently with his public duty, to give the noble earl any answer that would be satisfactory: the instrument had no reference to any immediate act of the British Government.

The Earl of *Darnley*, under the circumstances, could not avoid hoping and believing, that if the document were authentic, it was not authorized by ministers.

SMALL-POX PREVENTION BILL.] Lord *Boringdon* stated, that in the session of 1813 he had brought in a Bill to prevent the spreading of infection by the inoculated Small-pox, which was withdrawn. He had introduced another bill last year; which, after having undergone a good deal of consideration, was also withdrawn; the noble and learned lord opposite having stated that the offence was punishable at common law. This opinion had among the unlearned occasioned great surprise; it did not appear that any indictment for the offence had then been preferred, and he had therefore pledged himself to bring in another bill of the same description as the former bills, this session. That pledge he would have redeemed, if matters had stood in the same situation; as it was not to be endured that persons should be allowed with impunity to spread infection by a disease which might so easily be prevented by vaccination, which was approved by the best physicians, and sanctioned by Parliament. Lately, however, in a case where eight persons had lost their lives, owing to the indiscretion of a mother, who exposed her child when it had the inoculated small-pox, an indictment had been preferred at common law, and the offender convicted and punished. He trusted, therefore, that when it was known in all quarters of the country, that the offence exposed the party to a heavy punishment at common law, the practice of bringing children into public places when they had the innoculated small-pox would be discontinued. If the recent judgment of the King's-bench should not be found to produce that effect, he should still feel it his duty to bring in a bill for that purpose; but under the present circumstances he did not feel himself called upon at this moment to proceed farther.

Lord *Ellenborough* said, that the judgment of the King's-bench, in the case alluded to, did not lay down any new law. It was a thing perfectly well known among lawyers, that the offence was punishable at common law; certainly, the opinion which he had given last year, could have created no surprise among them, and he believed it would be found, that this was by no means the first indictment which had been preferred for similar offences.

Earl *Stanhope* begged the noble and learned lord to explain himself. Mere inoculation was the promulgation of an infectious disease; and he wished to know if it were meant to be asserted, that under the statute that was punishable? The fact was, that inoculation was not discovered until long after the passing of the Act. It did not appear to him *per se* illegal.

Lord *Ellenborough* said, that in the next term he should be called upon to decide upon the precise case. He would, however, anticipate his judgment so far as to say, that inoculation, with proper precautions of secluding the patient and preventing the spreading of the infection, was not illegal. The abuse of the practice only was criminal.

Earl *Stanhope* added, that he did not think any court of law could decide otherwise: if it did, he should have thought it dis duty to bring in a bill that would give them such a trimming as they had never before received.

Lord *Boringdon* observed, that he believed that only one prosecution and conviction had taken place under the statute.

Lord *Ellenborough* was of opinion, that other cases might be found on the books, of the same kind, under the same statute.

ALIEN BILL.] On the motion for the committal of this Bill,

Earl *Stanhope* said, there never was a bill with so many absurd clauses. He adverted to an Act of the 2nd of Richard 2, by which aliens from nations in amity with this country were permitted to come into the country freely for purposes of commerce, and to transact their business without molestation. Bills of this description trenched on that law; but if it was proper to pass them at all, it was at least incumbent on those who ought to attend to them particularly, to take care they were in a state fit to be passed. It was absolutely necessary that more attention should be paid to the bills that were brought into that House. The Commons had sent them up a bill relative to the borough of Hellestone, which it was found impossible to deal with; and now they sent this Bill, which was little better. It ought to have been submitted to the Attorney and Solicitor-general, before it was brought in. One objectionable part of the Bill was, that all aliens having no licence, &c., were to be imprisoned till sent out of the country; and having no licence, meant having no licence under this Act; so that those who had licences under the last Act, might be imprisoned without knowing that they had committed any offence. He had suggested this to the noble Secretary, who now, he understood, was prepared with an amendment which would remove nineteen-twentieths of his objections to the Bill. Another objection was, that even cases of shipwreck and distress were not excepted. In one of the clauses an indictment was to be preferred where there was no indictable offence. However, he should not object to the Bill going into a committee.

The motion being agreed to, the Bill was accordingly committed.

Viscount *Sidmouth* stated, that the reason why this Bill had not been submitted to the Attorney and Solicitor-general, was, that the Alien Bill of 1803, of which this was nearly a transcript, had been so submitted. There was a great convenience in compelling aliens to take out new licences, as changes must have taken place by death and departure, and it was desirable that the number and abode of all aliens now holding licences under the late Act should be known. Upon the whole, the inconvenience to the parties which would result from their being compelled to come to London and renew their licences, appeared to outweigh the advantages on the other side, and therefore he proposed a clause by which licences held under the former Act were considered to be sufficient.—This clause was accordingly inserted.

Earl *Stanhope* said, that the clause removed much of what he had considered as objectionable in the Bill, and had been first suggested by himself. His lordship then proposed several other amendments, and particularly insisted that certain words which he mentioned, should be stated in a parenthesis, that, as he alleged, being absolutely necessary to make the sense clear.

Lord *Redesdale* said, that there were no parentheses in acts of parliament, and that the question ought not to be put.

Earl *Stanhope* insisted, that there were parentheses in acts of parliament, and he was astonished that any lawyer should deny it.

The proposed amendments were severally negatived, and the Bill passed the committee.

HOUSE OF COMMONS.

Monday, May 8.

THE NELSON ESTATE.] The House having resolved itself into a committee of supply,

Mr. *Lushington* rose to propose an additional grant of 9,000*l.* to the trustees for the purchase of an estate for the family of the late lord Nelson. He stated that it had been the intention of his Majesty's ministers, when the original grant had been first proposed to the House, to have requested from Parliament the sum of 120,000*l.* for that purpose; but in the progress of that measure through the House, 30,000*l.* had been granted to the sisters of lord Nelson, and the sum which was finally granted for the purchase of the estate was 90,000*l.* During the time since the Act had passed no estate had offered itself to the commissioners which seemed desirable, and which at the same time was of that magnitude which their trust required, except the estate which they were then in treaty for. A sum of 9,000*l.* would, however, be requisite to conclude that treaty, principally on account of the timber on that estate. It was unnecessary for him to recite the claims of lord Nelson to the gratitude of the country, which were fresh in the recollection of the House; but he should move, "That a sum not exceeding 9,000*l.* be granted to his Majesty, to enable the trustees under an Act of the 46th year of his present Majesty, for settling an annuity on the earl Nelson and the heirs male of his body, and such other person on whom the title of earl Nelson shall descend, and for granting a sum of money to purchase an estate to accompany the said title, and for other purposes, to complete the purchase of an estate situate at Standlynch, in the county of Wilts, and to enfranchise the copyhold part thereof, and to purchase a water-rent and some fee-farm rents issuing out of the said estate."

Mr. *Whitbread* said, he was surprised, if it had been thought necessary by the Crown that the grant to lord Nelson's family should be increased, that a message had not been brought down to that effect. No such message had been brought down, and the only plea for augmenting the grant was, that no estate could be found which could be purchased for the sum which had been granted. It therefore came to this question of fact, whether any estate could have been procured for the sum which was in the hands of the commissioners? And the grant now proposed was not for the purpose of giving an additional recompence to the family of lord Nelson, but for purchasing the particular estate of Mr. Dawkins. In making these observations, he did not put himself in the invidious character of an opposer of a grant to the family of lord Nelson, but merely called on the Trustees to give an account why they had not concluded the purchase of an estate which had been offered them within the terms of their trust. The estate called Branches, in Suffolk, had been offered to the commissioners. The agents for the trust had surveyed, earl Nelson had approved of it, and the trustees had offered about 65,000*l.* for it, which Mr. Kemp, the proprietor, had, after some delay, stated that he would accept. The trustees had then refused to complete the purchase, and without one reason assigned, and concluded a treaty for the purchase of the estate of Mr. Dawkins, of which great part was not enfranchised, although the trustees were forbid to purchase copyhold land; and although one of the objections to Mr. Kemp's estate was, that part was copyhold. That part of Branches was, however, small, and was now actually enfranchised. He did not, therefore, stand forth in the invidious light of wishing to cramp the public munificence to lord Nelson's family, but to require an account why, without any given reason, the commissioners had applied for an additional sum for the purchase of an estate, which, in point of revenue, would not be understood to be very beneficial.

Mr. *Rose* stated, that since 1806, when the trustees, of whom he was one, were appointed, only two desirable estates had offered themselves to their attention before the estate of Branches and that of Mr. Dawkins, viz. one in Suffolk, in the sale of which they were outbid, and another in Hampshire, on which too high a price had been set, although all possible inquiries had been made. The estate which the trustees were in treaty for with Mr. Kemp, was in a bad country, and accessible only by roads which in winter were impassable; it was for that reason that the trustees had thought fit to prefer the estate in Wiltshire, which was in all respects much more desirable. It was plain, also, that the trustees were under no engagement to Mr. Kemp, for they had offered the sum of 65,825*l.* under three several modifications, which he had refused to accede to, until the treaty had been suspended, and on the supposition that the whole was freehold. Earl Nelson so far preferred the estate in Wiltshire, that he had offered, if the trustees were not able to obtain the additional grant, to pay the difference himself.

Mr. *Western* saw no good grounds for the additional grant. He thought there could be a very good estate purchased for 90,000*l.* There was no urgent necessity for making the purchase at present; and as the commissioners had waited so long, they might have waited a little longer to find an estate suitable in every respect. He condemned the conduct of the commissioners with regard to Mr. Kemp; and thought they should not, on such light grounds, have broken off a treaty so nearly concluded.

Mr. *W. Smith* thought, that leaving the negociation with Mr. Kemp entirely out of the question, the proposition before the committee ought not to be acceded to. As to Mr. Kemp, all that he had ever heard of that gentleman's case was, that he had some years ago bought an estate on cheap terms, which estate he was anxious to dispose of to lord Nelson, on such terms as should secure to himself an extraordinary bargain; but although no advocate for Mr. Kemp, he thought the contract with that gentleman binding. The right hon. gentleman who spoke last but one, was, therefore, in error, if he supposed Mr. Kemp's case the cause of the obstacles which were presented to the proposed vote, and still more in error in assuming that those obstacles implied any disrespect to the memory of the late lord Nelson. For no such disrespect was felt; on the contrary, he himself, who was such a warm admirer of that hero as to be among the first to support the erection of a monument to his memory, in Norfolk, which monument would be a lasting honour to the object, and to the country, conceived it his duty to oppose this vote, because no circumstances appeared to him to have occurred since the original grant was voted, to make the additional sum now proposed either just or necessary. Even supposing the present earl were equally meritorious with his predecessor, he should, upon principle, feel himself bound to oppose the proposition. His objection was, that if there was 9,000*l.* necessary to complete the purchase, it could be paid out of the revenues of the estate, and not by a country that had already given 90,000*l.* Parliament could appoint trustees to receive the 9,000*l.* from the estate, and the business might thus be settled very easily. But if 9,000*l.* were granted from the country at present, he saw no reason why 19,000*l.* 29,000*l.* or any other sum might not be required hereafter. He could discover no sufficient cause for the grant, and must therefore oppose it.

Mr. *Rose* observed that Mr. Kemp pertinaciously insisted upon his own terms; namely, that 65,000*l.* should be paid for his estate, together with 5,000*l.* for fixtures, thus rejecting every proposal of concession.

Mr. *Whitbread* remarked upon the expressed disposition of the right hon. gentleman and the other commissioners, on the 2d of July last, to accede to the purchase of an estate, which was now felt to be in such an inaccessible situation, as to be quite unsuitable to the object, and to the proper dignity of lord Nelson's family.

The *Speaker* vindicated the conduct of the commissioners appointed to purchase an appropriate estate for the family of lord Nelson, who had, in pursuance of their duty, concluded for the purchase of the estate of Standlynch, which contained 2,500 acres, together with a suitable mansion, instead of Mr. Kemp's estate of 1,000 acres. But it was also to be observed, that Mr. Kemp could not, as he himself knew, make out a good title. The commissioners had not, however, been guilty of any injustice whatever, either towards Mr. Kemp or the public. This the right hon. gentleman illustrated, by describing the nature of the negociation with Mr. Kemp, and stating that only 87,000*l.* was advanced to the proprietor of the estate of Standlynch, the commissioners reserving 3,000*l.* for the repairs of the mansion, and covenanting with the present lord Nelson, that he should advance the remainder of the purchase-money, to be secured to him as his own personal property, independently of the original grant. Therefore the commissioners had in no degree pledged the House; and of course it remained to be considered, whether the committee would, as an act of grace, liberality, and favour, accede to the grant now proposed, in compliment to the merits of the late lord Nelson—whether it would stop short with the original grant, or go farther, with a view to make suitable provision for the family of that great warrior.

Mr. *Bankes* was at a loss to know where the House could find a justification for giving the additional 9,000*l.* When the merits of lord Nelson were brought before them, it was difficult to fix the bounds of their generosity; but as a limit had been settled, he could not perceive why it should be extended. Under all these circumstances of the case, he could not understand how the present proposition could be supported.

Mr. *Rose* replied, that there was nothing to prevent Mr. Kemp from applying to the Court of Chancery, if he should consider himself to have been injured. With respect to Standlynch, no other property had offered equally eligible, and, on that account, the commissioners had conceived themselves bound to accept of it.

The *Chancellor of the Exchequer* said, that it had been difficult to find an estate applicable to the purposes of the act of parliament. The Act required that the estate should be freehold, and free from incumbrances. It was therefore essential to the spirit of the Act, that the estate should be settled unincumbered in the Nelson family.

General *Walpole* said, that every man must think it an advantageous purchase.

The question was then loudly called for, and the House divided:

For the Grant	111
Against it	66
Majority	—45

HIGH BAILIFF OF WESTMINSTER.] In the Committee of Supply, Mr. Lockhart moved, that the sum of 1,800*l.* be granted to Arthur Morris, esq. the high bailiff of Westminster, as an indemnity for losses sustained by him at the election of members to serve in parliament for the said city.

Mr. *Bankes* said, he was not aware that this proposition was to be brought forward to-day, or he would have prepared himself for the discussion, by refreshing his memory as to the principal points of Mr. Morris's case. He was enabled to state, however, from his recollection of what occurred in a former committee, that it was his opinion the sum claimed by Mr. Morris was much larger than the House ought to sanction.

The *Chancellor of the Exchequer* thought that some compensation was certainly due to the high bailiff on account of the expenses he was put to in consequence of an involuntary candidate being started. As this was a case not in the contemplation of the law, he was entitled so far to compensation. As to the larger sum, he did not conceive the claim substantiated.

Mr. *Byng* could not see why a difference should be made between the high bailiff of Westminster, and any other returning officer in the kingdom. He did not know where this principle of compensation was to stop.

Mr. *Lockhart* replied, that the high bailiff was bound by the Act of Parliament to expenses to which other returning officers were not bound.

Mr. *Horner* observed, that the high bailiff was almost the only returning officer in the kingdom whose office was one of emolument as well as trust.

The resolution was then postponed.

NEW POST-OFFICE BILL.] Sir *James Shaw*, on rising to move the second reading of the new Post-office Bill, adverted to the Report of the Committee, which the House had now perused, and which was so diffuse and clear as to leave no doubt upon the subject. He observed, that the only difference in the calculations of expense, arose from the difference of the proposed grounds; and the committee was decidedly in favour of the ground in the plan, Number 1, being that of Saint Martin's-le-Grand. The hon. baronet then explained the difference of the four plans which had been considered, and also the difference of the calculations of expense. The select committee, on presenting these different plans for the consideration of the House, had thought it incumbent on them to express their opinion as to that which was most eligible, and which appeared to be No. 1. An hon. member had certainly made a great impression on the House, by stating that the enormous sum of 700 or 800,000*l*. would be necessary for this building; but if he (sir James) could have thought such a sum would be required, the measure should never have had his support. On the contrary, however, there was every reason to believe that the expense would not exceed 244,400*l*. and considering the sum to be taken towards it from the Orphans' Fund, it would appear that the city would have to contribute very materially towards it. He concluded by moving, That the Bill be read a second time.

Mr. *Gordon* objected to the motion, on the ground that the public ought not to be called on to pay such a sum of money, without a strong case being made out of the necessity of building such a post-office at all. On that head there had been no question whatever asked by the last committee, but they had merely referred to the report of the former committee; and even in that there was, in his opinion, no case made out which would justify the House in giving countenance to the Bill. The Post-office had been carried on for many years in the present situation in which it stood, with every advantage to the public. It was true, Mr. Freeling when before the committee had stated, that they had wanted a new Post-office for a long time, but they could not prevail with the city of London to agree to it before. He could not, therefore, but be a little surprised that the City should all at once come forward and join their aid to the Government in saddling the public with such an enormous expense, at the moment when the burthens under which they laboured were so great. He objected also to the reason assigned by the City for now agreeing to this measure, because great part of the money was to be taken from the Orphans' Fund. He denied that the City had a right to apply that fund to this particular purpose, and said the consequence would be a continuance of the tax on coals and wines imported into the port of London for three years longer than it ought to continue, which would be laying an additional burthen on the inhabitants of the city of Westminster, and the parts adjacent to London, for the benefit and advantage of the more distant parts of the empire. He sifted the evidence of Mr. Hasker and other witnesses who had been examined, and observed that they were all in some degree belonging to the Post-office; and when one part of their evidence was compared with another, it appeared to him to be little better than a delusion. He adverted to that part of the report which stated that the new building should be devoid of ornament, to which he objected as much as he did to the adoption of the measure at all. If we were to have a new building on which 244,000*l*. was to be expended, he thought, that as a public edifice, it ought to have the advantage of ornaments and decorations. It was true he would not wish to see the entrance resembling a triumphal arch, but he would have the ornaments such as to distinguish a public building of this kind from the gloom of a prison, or the melancholy appearance of an hospital. His main objection, however, was to the very great expense, at a period when the country was so little able to bear it; and as such, he should divide the House on the second reading of the Bill.

Mr. *Hammersley* said, he had carefully examined, with the other members of the committee, the numerous and great inconveniences attendant on the old Post-office. Great numbers of the valuable servants of the Government, employed in carrying on this truly beneficial branch of the revenue, were shut up in close rooms, dirty and covered with smoke, so that their health must be in danger, one would almost think, from suffocation. It had been obliged to be enlarged from time to time, and was a mass of old houses taken in and added at different periods, which rendered the communication of one office with another extremely difficult, and very often apparently dangerous to persons under the necessity of passing in haste from one to another. The passages, also, were so narrow and ill contrived, that as there were several hundreds there at a time in the course of the day, it was surprising they should come off without broken bones. With respect to the new Post-office, he thought the necessity of it was apparent; and as to its situation, he was inclined to think it as favourable as any that could be obtained. He agreed with his hon. friend who spoke last, that though no triumphal arches were necessary, yet in a public building of that nature, there ought to be a degree of magnificence in its ornamental decorations.

Sir *Joseph Yorke* said, that while honourable members were differing about decorations to new buildings, he must beg to remind them, that there was an old public building in this metropolis that was still unfinished. He meant Somerset-house, which was left in such a state in some parts of it as to be a disgrace to the country.

Mr. *Western* was against the Bill. He did not see any thing in the Report which could warrant the adoption of such a measure, while the burthens on the people were so oppressive. Admitting that it would be an improvement, it was still incumbent to show an urgent necessity for it. The Orphans Fund, from which part of the money was to be taken, was a fund derived from taxation, to which the inhabitants of London and its vicinity were peculiarly liable. But was this measure more peculiarly advantageous to them than to the people of the whole empire? It was known that this fund had been applied to many public purposes; it had been applied to the building of Blackfriars-bridge; but from this and all previous applications of it, the inhabitants of London derived the benefit. The case in the present instance was very different; and therefore if the object was desirable, the public at large should bear the burthen. This was not the moment to involve the country in any expense that was not strictly necessary; and as no necessity had been shown for the measure, he should vote against the motion.

Mr. *Charles Long* repeated the grounds on which the former committee had framed their Report. Their opinion was, that the present Post-office was totally inadequate to its object, and they had agreed that the plan, No. 1, was decidedly the best, and would be the most economical. In allusion to the remark of Mr. Western, that the public ought to bear the expense, the right hon. gentleman observed, that the greatest portion of the expense was to be borne by the public at large, and a moderate part by the City. The reason for appropriating a part of the Orphans Fund towards this expense was, that it combined a great public advantage with a considerable improvement in the city of London. He was decidedly in favour of the Bill, although he would have preferred the proposition for altering the present Post-office, if it could possibly have been adopted.

Mr. *Bankes* would not on any occasion be inclined to go beyond the expenditure prescribed by actual necessity. He must admit that the present Post-office was extremely inconvenient; but he thought that as the business which had been for so many years conducted at it, was a pattern of dispatch and regularity, there was no necessity for the new building. But if it were necessary, he did not believe a better site could be chosen, as the ground was not dearer than it could be purchased any where else. It was a wrong idea that the business required the constant attendance of such a number of persons, who had been represented as shut up in a lazaretto all day. On the contrary, they were not in attendance more than a few hours a day. He was, notwithstanding all he had heard and read on the subject, clearly of opinion that it would be better the business should stand over for the present.

Mr. *Butterworth* thought those gentlemen who were on the committee must be satisfied that the removal of the Post-office was absolutely necessary. For the last 14 years the present Post-office had cost the country on the average not less than 6,000*l.* annually for repairs. The inconveniences of the present Post-office he described to be very great. He urged the importance of coming to an immediate decision, as the inhabitants of St. Martin's-le-Grand had been for the last two years in a state of great uncertainty, which ought now to be terminated with the least possible delay. The present establishment subjected those employed in it, to more inconveniences than was known in any of the government offices. It was true, a part of the business was necessarily done by candle-light; but the situation of those who were thus occupied, ought to be ameliorated as much as possible, by giving them lofty apartments. At present—would the House suffer it to continue?—a valuable body of the public servants, were compelled to labour in offices from which both light and air were excluded. The building of the new Post-office would employ many hands now out of work. When completed, arrangements might be made so that large parcels might be forwarded by the Post-office (especially to Ireland) which could not at present be done. He proceeded to set forth the various advantages which would result from the proposed measure, and strongly insisted that the able and satisfactory manner in which the business of the establishment had been conducted for the last twenty years, furnished no argument in favour of the continuance of inconveniences which were not known in other government offices.

Mr. *Holme Sumner* was still of opinion that there was no necessity for building a new Post-office, and that even if it were desirable, the present was not the time for carrying such a design into effect. Where the present building stood, there were 2,000 square feet, which had not been built upon, and 13,000 more between the two lanes and the church close to it might be purchased at an expense of 38,000*l.*; and these, with the 25,000 square feet already occupied, he was of opinion, would give an area sufficiently large for all the business of the Post-office, which had hitherto been transacted so well within a space of 25,000. The plans for the new Post-office were on a grand scale; one went to occupy 64,000 the other 50,000 square feet: but he saw no reason for supposing that nearly three times that space was now requisite, which had formerly been sufficient. The Inland-office was well managed by the present arrangement. The average daily delivery was 38,000 letters, but on Mondays there was usually an excess. The committee had seen 44,000 letters sorted and put in order for delivery in the course of 45 minutes; and how, without the aid of magic, the business of that department was to be performed quicker by any change which could be made, he had yet to learn. The estimates given in, had to him been very unsatisfactory; and on these accounts, in in the present state of our finances, he thought it very improper to incur the expense which must be attendant on building a new Post-office. He gave a detailed history of the Orphans' Fund, from its establishment in the time of Richard 2, down to the present period, and denied that the City possessed the right of appropriating that fund as they had taken upon themselves to do, and to tax a portion of the people as they had done. From the Orphans' Fund the City had drawn—for the building of Blackfriars-bridge, 90,000*l.*; and subsequently, to take off the toll, 64,000*l.* more. When the City was about building Newgate, 100,000*l.* had been taken; to buy off the London-bridge toll, 30,000*l.*; to repair the Royal Exchange, which was said to be in a very dilapidated state, 10,000*l.*; and to improve the river, 8,000*l.*, in all nearly 300,000*l.* For every subsequent improvement this Orphans' Fund had been the milch cow, from which the means were drawn. The new Debtors' Gaol was paid for out of the Orphans' Fund. He was of opinion the City ought to meet such charges out of their own means. The adjoining counties of Hertford, Essex, and Surrey, had defrayed the expenses of their gaols in a very satisfactory manner. It was true, it might be said that the city of London had to provide gaols for the county of Middlesex, but for this it was remunerated. If it chose to give up the remuneration it received, let it do so, and let the expense of the prisons be met by a county rate.

Mr. *Grenfell* recapitulated a part of the second report of the select committee appointed by the House to inquire into this subject, recommending the building a new post-office. That report was drawn up on the spot, and agreed to unanimously, with the exception of the member for Surrey. He should vote for the second reading of the Bill.

Mr. *Holme Sumner* said, he had omitted to move as an amendment, that the Bill be read a second time this day six months.

The *Speaker* remarked, that it was too late for the hon. gentleman to make such a motion, consistently with the usage of the House.

Lord *Milton* was surprised that none of the City members had risen to vindicate the city of London from the charge preferred against them by the hon. gentleman, who had represented them to be disposed to pay part of the expense of this great undertaking out of funds which were not their own. While pretending to pay out of their own pockets, they in fact imposed a tax, not only on the city of London, but on the city of Westminster, and on all places in their vicinity, as in all the duty on coals tended to advance the price of fuel. Before the city came forward in aid of such an undertaking with their pretended generosity, they ought to show that they did not do this out of the funds of others; and this done, unless they derived a greater benefit from the proposed change than the inhabitants of other places, the expense ought to be borne by the public at large. At all events, if they did contribute towards the new building, they ought to do it at their own expense, and not out of funds which they had appropriated to themselves by means which he would not describe.

Sir *William Curtis* said, the City intended to contribute towards the expense of the new Post-office out of their own funds. They meant to raise a sum of money for that purpose by duties on wine and coals brought to the port of London. An hon. gentleman had correctly given the history of the Orphans' Fund; but he had not stated the means by which it was taken from the City in former times. Thank God! the country had now an honest Government! but formerly the country was differently circumstanced, and in troublesome times Government had laid hands on the money entrusted to the City, which formed the Orphans' Fund. By the advances made from the Orphans' Fund the City had not benefitted alone, and when the hon. gentleman talked of what Surrey and other counties had done, he wished to ask what places had been benefitted more than Surrey by those measures of which he complained? The toll on Blackfriars-bridge had been considered an inconvenience; and from this, as well as from that on London-bridge, the public had been relieved, and Surrey had paid nothing for the benefits thus conferred on her. In the same spirit the funds of the City had furnished the means of building a court-house at Westminster, and another at Whitechapel. He then referred to the great improvements which had been made in the City itself, and wished those who could remember it as long as he could, to compare its former state with what it now was. He wished them to look, for instance, at Temple-bar and Snow-hill. He denied that there was any thing in the Orphans' Fund that made it one with which the City ought not on such occasions to interfere; and concluded by declaring, that they were not reduced to the pitiful and disgraceful expedient of putting their hands upon funds which were not their own, in order to carry into execution those plans which they thought it their duty to support and countenance.

Mr. *Bennet* said, that when the city of London had come to Parliament on the subject of the Orphans' Fund, they had spoken of it as having been dissipated during "the late troubles," but had not said a word of its having been seized by the Government.

The House divided:

For the second reading of the Bill	149
Against it	70
Majority	—79

Lord *Milton* wished to know in what manner the Bill was to be committed.

The *Speaker* said, that as private claims were connected with it, it must, in the first instance, go to a committee above stairs, who would report upon it, and, subsequently, it would come before a committee of the whole House.

Motion for Power to the Committee on the Civil List Account.] Mr. *Tierney* rose for the purpose of bringing forward his promised motion upon this subject. He observed, that notwithstanding the lateness of the hour it would be more satisfactory if he were now to proceed, and not to postpone a subject of so much importance. Gentlemen who had been in the habit of attending the present and former committees on the Civil List were aware that he had failed in his attempts to invest those committees with sufficient powers to accomplish any useful purpose; and they knew, also, that he had consented to attend them only for the sake of trying the point, that the House might be convinced that if any good practical result were in view, it would be impossible by such restricted means to attain it. In order that the mere production and investigation of papers might not, however, be the sole effect of its appointment, he had made two suggestions to the Committee: 1. That the great object ought to be to examine in what way the enormous expenditure of the Civil List had been superintended. 2. That the Committee ought to give to the House some detailed estimates, in order to ascertain what reasonable bounds ought to be put to the expenditure of the Royal Family. To the first point, which had for its object the imposing of necessary checks, the Committee consented entirely; but with the last they complied only in part, being of opinion that such conduct would be improper and indecorous in the Committee: but they recommended that a motion for the purpose should be made in the House, and it was not doubted that such estimates would then be supplied by the Crown. Having gained the first point, he thought that he had accomplished much, being convinced that a neglect in superintendence was the true source of the lavish and uncontrolled expenditure in the Civil List.

It was not his intention on the present occasion to go into a detail of the accounts on this subject; it was, indeed, unnecessary, since on a former occasion, when he had called the attention of the House to them, it had been generally felt, and denied by none, that the issue from the Civil List was, he would not say unjustifiable, but at all events carried to a most alarming extent. His object now was to bring the question, whether the Committee ought to possess the power of sending for and examining witnesses, to another issue; and he was confident that he was addressing many gentlemen, who might have voted against him on the former night, but who—after the statement of the two objects he had in view, and after the experience they had had of the impossibility of their accomplishment without farther power—would now, from a thorough conviction of their duty, give his present motion their hearty support. In pursuing this subject, he should not trouble the House with any details, but under the fourth class of the Civil List expenditure, and even that would be further narrowed to the department of the Lord Chamberlain. He begged it to be understood, that in fixing upon this department he meant nothing invidious to the noble lord who was at its head; and he promised, that if he succeeded in his proposal this night, he would, on a future occasion, make a similar motion with regard to the other departments of the fourth class. On the mere inspection of the papers upon the table, no gentleman would deny that in the department of the Lord Chamberlain the strictest examination was necessary; those documents, however, supplied only the gross amounts charged by the Lord Chamberlain, the Lord Steward, and the Master of the Horse; and to obtain a few particulars, it was necessary to call the attention of the House to some of the accounts already furnished to the Committee. If they were not perfectly intelligible, it was the fault of ministers, who would not allow them to be regularly laid upon the table of the House for deliberate investigation.

The right hon. member meant to confine himself still further to that portion of the Lord Chamberlain's accounts, independent of public buildings, and of those subjects that came under the cognizance of the Board of Works. It would be found, on an inspection of the papers, that for Carlton-house only, during the short space of two years and three-quarters, the enormous sum of 160,000*l.* was charged under the head of Furniture and Tradesmen's Bills, perhaps including some articles of plate. He had a right to say, that this sum was most exorbitant; and it took its origin, very singularly, just after the splendid fête given by the Prince Regent in 1811. After that date the expenses of Carlton-house, in the respects mentioned, had branched out to the extent of 160,000*l.* It ought also to be recollected, that at that period Parliament voted no less than 100,000*l.* to the Prince Regent, for the augmented expenses of his household. The late Mr. Perceval had expressly stated, that it was principally to be applied to the purchase of plate; and the whole increase, since the year 1811, had not been less than 260,000*l.* [Lord Castlereagh said, that it was 160,000*l.*]—Mr. Tierney thought the surprise of the noble lord, at the amount, extremely natural: he could not readily believe that it was really 260,000*l.*; but such was the fact, including the 100,000*l.* voted by Parliament. He begged the House to notice some of the items as they had been made out above stairs by the committee. For the upholsterer in the first year, the sum charged was 19,000*l.*; in the second, 28,000*l.*; and for three-quarters of the third, 46,291*l.* This showed a progressive and most wonderful augmentation, more especially in the last three-quarters of a year, which nearly doubled the charge for the whole of the second year. The same arithmetical progression would be observed in the expenses of *or-molu*, china, and glass; the latter article, for the last three-quarters of a year to which the civil list accounts were made up, amounted to no less than 12,368*l.* For linen-drapery, &c. for the first year there was charged 33,000*l.*; for the second, 41,000*l.*; and for the three-quarters, 64,000*l.* Silversmiths bills were charged in the first year 32,000*l.*; in the second at 37,000*l*; and for the last three-quarters they ascended to 41,000*l.* The bills of tradesmen amounted together to no less than 138,000*l.*, excluding silversmiths and jewellers, whose charge was 111,000*l.* Next came what was called the Great Wardrobe: in the first year 43,000*l.*; in the second, 47,000*l.*; and in the third, 72,000*l.* These were sums that he thought would astonish the House, and even alarm the noble lord; and yet it was required that the whole subject should be investigated by means of what could be laid before them in writing. [Hear, hear!]

He admitted that there was a certain degree of delicacy to be observed upon this subject; but he could not help thinking that the Royal Family must be extremely anxious that it should be fully investigated. Why they should be unwilling, or should feel any degree of soreness on the touch of Parliament, he could not imagine; and he had not heard a single argument used on the other side, but that Parliament had never so interfered. Why was such profusion allowed? And why, when the civil list was so deeply in debt, did ministers endeavour to pay it off as soon as possible, and with as little inquiry as possible? The investigation might be deemed indelicate; it had been for years postponed; the House was willing to try the parties a little longer, until after four or five years the accounts were produced in a state unparalleled in the history of any Court of Europe. It would be said, that these amounts were not the ordinary expenses of the Royal Family merely; that 32,000*l.* was to be deducted on account of the Royal Visitors, and that a reduction ought to be made in the charge for plate and jewels. It was true, that the expense for investing the knights of the several orders, for ambassadors, for great officers of state, and for the investing of foreign Sovereigns, amounting to 20,358*l.*, ought not to be included, which, with the former sum, would reduce the charge for jewellery, &c. to about 62,000*l.* or 23,000*l.* a year, including two years and three-quarters. He appealed to the House whether any such permanent and continued expenditure could be necessary? Another point to be investigated was, to whom the jewels, &c. belonged? They were paid for out of the civil list by the public—then they belonged to the public, and ought at least to be hereditary with the Crown. Of what use was the privy purse of 73,000*l.* per annum, if the civil list were to be so applied? Was no part of that sum to be devoted to the maintenance of the splendour of the Crown? It was worthy of remark also, that in none of these accounts was any credit stated: 32,000*l.* had been paid for furniture for the Sovereigns on their visit. What was become of it? They had not taken it away with them. Into whose possession, then, had it devolved?

He did not complain of any unwillingness to furnish accounts to the committee; but if the complicated subject were to be so investigated, not one session, nor ten sessions would be sufficient for the labour. In the committee room, when a host of cabinet ministers, secretaries, paymasters, and other adherents were ranged against three or four individuals, it was amusing to notice the mode of proceeding—if the necessity of any document were suggested, the most ready compliance was given as a matter of favour; it was not allowed that the committee should issue any direct and public order from itself, but the paper was procured by a sort of whisper in the application for it, and a whisper in return on compliance—when papers were obtained, they were not implicitly to be relied upon, not because they were garbled (for that he did not mean to assert), but because they might be garbled, and at the best would afford no information on which the committee could satisfactorily act. The right hon. gentleman said, he had therefore taken this early opportunity of submitting his motion for *vivâ voce* examinations; because, although every day his case would have been strengthened by the vain proceedings of the committee, yet every day the attendance of members in the House would have been diminished. He begged to refer the House to a letter written by a gentleman of the name of Mash, to an application by Mr. Wharton on this subject two or three years ago, which at that time had given the greatest satisfaction, because it declared that before any furniture was ordered, the Lord Chamberlain always ascertained that it was necessary; an estimate was then made out of the expense, and an inspection was afterwards had that the article was worth the charge. What, however, was his surprise and disappointment when, on the 28th of April last, the Secretary of the Lord Chamberlain wrote a letter to the committee, in which he declared, that what Mr. Mash had said was not official, but that it applied to all royal palaces not in the occupation of the King or of the Prince Regent. That was exactly the point in dispute, for if the Prince Regent had the uncontrolled direction of the furniture, &c. of Carlton-house, and it was paid for out of the pockets of the people, it was a system that ought not to be endured. The state of things was exactly this, that all those guards existed in palaces not occupied by the King or the Prince Regent, but that his Royal Highness might order what furniture he pleased to any amount for his own palace, without the slightest possible check or control. It was true, that the plate was afterwards examined; but with regard to furniture of the most expensive kind, there was no restraint.

It could not be meant to be said that things should remain in this state. He did not believe that gentlemen knew that it was such; for the committee of 1812 and 1813 had relied upon the letter of Mr. Mash, and they imagined, consequently, that previous estimates were always made. Those who argued in opposition to the motion, must contend to this extent, that there was in the Crown a power, independent of the Lord Chamberlain, to give orders to tradesmen to any extent, for which the public were to pay. The right hon. gentleman said, he denied the doctrine, and maintained that such order and delivery of the goods constituted a private debt, for which the King or the Prince Regent was liable, which was not to be defrayed out of the civil list. It was directly in the teeth of Mr. Burke's Bill, which declared that the Lord Chamberlain was to be responsible. It was, indeed, one object he had in view in this motion, to show the House that it was in vain to appoint committees, unless it made the Lord Chamberlain feel that he was responsible; although he had recently fulfilled what was called his duties, as if he were answerable for nothing. If the House would allow witnesses to be examined, Mr. Tierney pledged himself to prove beyond a doubt, that an immense amount of furniture had been purchased, that no man living could establish to be at all necessary; and he thought the House bound to interpose for the protection of the people of England, who ought not to be imposed upon and juggled out of their hard earnings for the sake of gratifying caprices. The right hon. gentleman then read to the House several parts of Mr. Burke's Bill, in order to prove that the Lord Chamberlain was by it made responsible in all such cases as those to which he had referred. He pointed out a positive enactment, providing, that if the King shall order furniture, it must, before it can be supplied, receive the approbation of the Lord Chamberlain. The answer would probably be, that Mr. Burke's Bill had been for some years a mere dead letter. So much the greater necessity was there for reviving it; especially in these times, when, however indulgent the House might wish to be, it could not countenance an unprecedented expenditure of 160,000*l*. He maintained that the office of Lord Chamberlain ought not to be converted into a sinecure, with great patronage annexed to it, merely for the purpose of allowing the occupant of the throne to run into any extravagancies that were to be paid for by the people of England; for it was a mockery to say that by them it must not be defrayed. It now, therefore, did not appear wonderful that so much importance was attached to the appointment of certain officers of the household. It was now seen of what advantage it was to have the Lord Chamberlain independent of ministers. The noble lord opposite (lord Castlereagh) had no more control over the Lord Chamberlain, except from family affection, than he (Mr. Tierney) had. The Prince Regent had only to say that such jewellery, or such furniture should be sent in, and so that the orders came from some palace where his Royal Highness was residing, there was no control over them. He wished also to observe on the sums charged for foreign ambassadors: there was Mr. William Hill, who was no ambassador, but the accounts called him an ambassador, and he had ambassador's plate, for which 3,968*l.* was charged. He did not know whether this plate was really given; very often, he believed, the money was accepted instead of the plate. There was also nearly the same sum for plate to Mr. A'Court, who he believed was no ambassador. This, however, was as much as was paid for plate to lord Stewart and the duke of Wellington; and the same was paid for plate to Mr. Canning, that the dignity of England might be maintained with due splendour at the court of Lisbon, which, with 14,000*l.* for salary, and the sum for outfit, was pretty well for one year. This plate, he understood, was often not actually bought; in 1806, for instance, lord Cathcart was appointed ambassador to Russia, but he never went thither. He was long enough appointed, however, to be entitled to his plate, and he took 4,400*l.* instead of it. Now, what the real state of the expenditure was, it was impossible to ascertain, without calling the officers who were acquainted with it, and examining them in person. It was true the examination might be carried on, as a trial at the Old Bailey might be, by letter; but it could not be very expeditious, or very satisfactory. It was not to be expected that the accounts of the expenditure should be taken without any inquiry. The Chancellor of the Exchequer was, he understood, about to frame an estimate of such part of the expenditure as arose from foreign missions, to enlarge or curtail it, but at any rate to reduce it to an intelligible state; nor would it be supposed that any estimate could preclude the necessity of asking questions respecting it. How, then, could it be supposed that the committee which was to inquire into the grounds of the expenditure of the civil list, could be satisfied by merely seeing it stated?

His object in reality was, as far as possible, to take every thing relating to their expenditure from the control of the Royal Family, and to place it under the control of responsible persons. This did not arise from any want of delicacy to the Royal Family; for that delicacy would not be shown by suffering matters to remain in their present state, in which it was necessary that, from year to year, they should be dragged before the public. From this he wished to exempt them; and at the same time to provide, as well for the strictest economy of the public money, as for the due splendour of the Crown. The Prince Regent might require from the responsible officer every thing suited to the dignity of the Crown, and nothing so required would be denied. He wished the wardrobe and the jewels to be put on this footing; and the first class of expenditure would then remain alone with his Royal Highness, viz. the money paid directly into his hands. It was to be remembered, that the Prince Regent had the disposal of a privy purse of 70,000*l.* a year; but in addition to that, he had the direction of the jewels, and wardrobes, and furniture, without check or control. It could not be supposed that his Royal Highness's mind was set on these frivolous objects. The building department had been entrusted to a board which was to be permanent, and which might stand as a permanent security between the Crown and the country. Why, then, were not the other departments placed on the same footing? Why was such an arrangement to be less desired with respect to those departments either by the Prince Regent or the country? But before any such change was carried into effect, it was necessary for him to show before the committee, that no inconvenience would result from such an arrangement, and to that end he wished to examine the persons connected with the department. How could this be done by letter? how was it possible by that course of proceeding to bring to light the abuse or negligence in the different departments, that censure might be fixed upon them, and that it might be really ascertained what sum was necessary for the maintenance of the splendour of the Crown? This was not a party question; and with the exception of an allusion to Mr. Canning, for which he apologized, he had said nothing that savoured of party matters; and this he owed to the number of gentlemen, who, unconnected with any party, had supported him on a former occasion. He had now made out a practical case more strongly than he could have made out the theoretical case before. As to the charge which had been brought against him as wishing to interfere with the internal arrangement of the household—with the scullions, turnspits, and he knew not what, it was foreign from his thoughts. There was no man who wished more to support the dignity of the Crown; but he wished to inculcate the idea that it was not for us to enter into competition with foreign monarchies in splendour: the chastened splendour of the British monarchy inspired more real awe for the Monarch of England, than any paltry attempts to imitate a magnificence for which we were not calculated. What was really necessary to the dignity of the Crown he should willingly pay; but he could not agree to support the merciless extravagance of the last two years and three quarters. If all the House did was to grant the money, and to pass through the ceremony of a committee, it would not stand very well in the estimation of the country. He hoped they would pause before they turned a deaf ear to his proposition, for while they liberally paid all that the dignity of the Crown required, it was necessary to show something like sympathy with the people [Hear, hear!]. The right hon. gentleman concluded by moving,

"That the select committee appointed to take into consideration the account presented to the House upon the 20th day of March last by Mr. Arbuthnot, by the command of his Royal Highness the Prince Regent, relating to his Majesty's Civil List, and to examine the said account, and report the same as it shall appear to them, together with their observations thereupon, to the House, have power to send for Mr. T. B. Mash, of the Lord Chamberlain's office."

Lord *Castlereagh* said, that the motion of the right hon. gentleman might be considered rather as an appeal from the judgment of the House on a former night, than a measure which had arisen from the inquiries of the committee. The authority of the right hon. gentleman was to be received also with some distrust, as he had said he had attended the committee with no other intention than to bring the question again before the House. There was no one could wish more for an investigation of the accounts than the Prince Regent; but no ground had been shown to satisfy the House that it was necessary to depart from the respectful course which had always been adopted towards the Crown—which had been, to take all information from communications from the Crown itself, and never by examination of its officers. The noble lord said, he should follow the right hon. gentleman's own clear and perspicuous order, and should have no occasion to dispute his figures. The first great point of the right hon. gentleman's argument was the admitted excess in the three great departments, those of the Lord Chamberlain, the Lord Steward, and the Master of the Horse. To one part a remedy had, as far as it was necessary, been applied, by the appointment of the Board of Works, which was a control on the expenditure of the Crown in that branch. It was necessary to establish some standard at which the reasonable expenditure of the Crown should be taken. This could not be the estimate of 1804, which had been acknowledged by the committees of 1812 and 1813, to be too small; and it was only provided that estimates should be produced when the expenditure exceeded 24,000*l.* above that estimate. The expense, therefore, recognized by Parliament, was for the Lord Chamberlain's department 121,000*l.*—for the Lord Steward's 105,000*l.*—for the Master of the Horse 30,000*l.*—in all 256,000*l.* The actual expenditure had been, in 1812, 268,000*l.*—in 1813, 279,000*l.*—in the three quarters of 1814, 428,000*l.* The expense of the remaining quarter could not be at the same rate as the three first; taking it to be 70,000*l.* or 1-4th of the former year, it would make 498,000*l.* The recognized expenditure, 256,000*l.* being deducted from this gave a remainder of 242,000*l.* to the excess of the last year. But he would ask even the right hon. gentleman, was there not an obvious interpretation of this excess? From the most accurate estimate which had been made out, an expense of 132,000*l.* had arisen from the presence of the Royal Visitors; so that deducting this from the exceeding in the expense of the three last quarters, there would remain about 90,000*l.* as the extra expense of the Sovereign. From this was to be taken also 15 or 20,000*l.* for the establishment of the Princess Charlotte, and about 13 or 14,000*l.* for plate to foreign ambassadors, which would reduce the sum of 90,000*l.* to 60,000*l.* If to this were added the excess of the two former years, one of 12,000*l.* the other of 23,000*l.* it would be seen that the excess in all the three years was from 80,000*l.* to 90,000*l.* Now, he should show that the Prince Regent had not in reality incurred any excess, but that the public had been benefited by his conduct. During the time that the Prince Regent held the restricted regency he had not received any thing from parliament, though he had incurred great expenses; but when he assumed the unrestricted regency, he applied half his revenue as Prince of Wales to the payment of those debts which he had contracted as an individual; after the liquidation of the debts, the revenue would revert to the public. The sum of 100,000*l.* had been granted to his Royal Highness for outfit. This sum, however, his Royal Highness applied to the liquidation in part of his debts, so that the revenue of 60,000*l.* would revert to the public a year and three-quarters before it otherwise would have done. If this sum was placed in the account, as it had been made use of for the public benefit, it would be found that there had, instead of an excess, been a falling-off in expense. Thus, all that part of the right hon. gentleman's argument fell to the ground; for if that sum of 100,000*l.* had been applied to the purchase of plate, &c. the expense would have fallen within the recognised estimate. An unfair advantage had been taken of the name of 'cottage,' to raise a prejudice against the expense which had been incurred in the erection of a residence for his Royal Highness near Windsor: but when it was considered that the sum of 17,000*l.* for furnishing this house was the only sum which had been incurred for a country residence for the person exercising the supreme government of the country, the smallness, rather than the magnitude of it, would be subject of wonder. How much more would have been the expense of fitting up Hampton Court, if the Prince Regent had chosen to reside there! How great the inconvenience to the numerous families who would have been displaced! The cottage, as it was called, afforded a residence for his Royal Highness and his suite, with the advantage of proximity to his family at Windsor. The statement of the right hon. gentleman had been extremely exaggerated, perhaps from his not having known the circumstance of the application of the 100,000*l.*; but he had also made an assertion which was the reverse of the fact, namely, that the expenditure of the Crown in this country was infinitely greater than that of any other country. To refute this assertion he should only mention the Civil List of one million sterling, which had been granted to Louis the 18th, solely to maintain the dignity of the Crown: while the Prince Regent had only the disposal of a privy purse, of which all, except 28,000*l.* a year, was regularly paid in stated pensions. A detail of his other expenditure had been also presented, in which every sum above 500*l.* was specified; and yet it was asked that a species of inquiry, never before applied to the subject, should be extended to it. The right hon. gentleman should also have mentioned a most material circumstance, viz.—that there was a warrant of the Prince Regent's before the committee which provided that very remedy which the right hon. gentleman recommended, and which enjoined—1. That estimates should be made out of the expense of the Lord Chamberlain's department as formerly—2. That no goods should be furnished by the tradesmen of the Royal Family but on an order from a responsible officer, which was to be necessary as a voucher for the debt—and 3, That when the orders amounted to 1,000*l.* above the estimates, supplemental estimates should be made out,—[Mr. Tierney here observed, that no such warrant is before the committee.]—If the warrant was not now before the committee, it would be in a day or two. This system would provide all the checks which the right hon. gentleman recommended. The noble lord contended that the statements of Messrs. Mash and Calvert were perfectly consistent; and observed that the right hon. gentleman had gone into the committee, not with a view to gain information, but to try whether he could contrive to make out some case upon which he might rest an appeal to that House to reverse its decision of a former evening. Such a case, however, the right hon. gentleman had failed to make out; and therefore he trusted the House would adhere to its former decision.

The Earl of *Yarmouth*, adverting to the observation of the right hon. mover, as to the Prince Regent's display of plate in 1811, stated that but a very small part of that plate belonged to his Royal Highness; and he would ask any gentleman in that House, or in the country, whether, when the Allied Sovereigns visited this country, he could endure to see the royal table furnished with plate borrowed from the silversmiths of London, or from the duke of Devonshire, or other private friends of the Prince Regent. On such a distinguished occasion it was surely due to the splendour of the Crown, that the Regent should be supplied with a suitable service of plate for the entertainment of his illustrious guests. The right hon. mover had asked what was become of the King's plate? The noble earl said, he understood that it was distributed among the members of the Royal Family; but this plate, being the property of the public, might of course be re-demanded. With regard to the other points alluded to by the right hon. gentleman, he could not pretend to speak upon that with which he had no concern—with which, indeed, he was in no degree conversant.

Mr. *Wynn* animadverted strongly upon the appropriation of the 100,000*l.* alluded to by the noble lord (Castlereagh), to a purpose quite different from that for which it was voted by Parliament. The hon. gentleman read the provision of the Act, viz. that 100,000*l.* should be granted to his Majesty, in order to defray the expenses incident to the assumption of the royal functions by his royal highness the Prince Regent. Who, then, he would ask, had been bold enough to advise a dispensation with this law, by directing such a contravention of its letter and object as the noble lord had stated, and stated, too, in the way of panegyric? With respect to the motion before the House, he thought it impossible to come at the truth in a case of this nature by any other means than through the examination of *vivâ voce* evidence. Indeed, if it were not for such examination, that inquisitorial power through which committees of that House had been able to trace such enormous abuses in various departments, would become utterly nugatory. The noble lord had said, that to grant this motion would be an innovation upon the constitution. This was a doctrine which had never been very boldly brought forward, and gentlemen in inferior departments had generally been put forward to make the assertion. For four hundred years these inquiries had been exercised by the House; and, in 1780, a majority had declared, that it had a right to examine into the abuses of the Civil List, as well as into all other departments. The House should give greater powers to the present committee, in order to render their labours more effectual than on former occasions. None of the articles removed had been accounted for, and the House were justified in presuming that there had been an abuse. The committee should, therefore, be enabled to examine persons *vivâ voce,* for it was by such means only that the abuses in the Navy had been detected.

Mr. *Rose* observed, that although nine or ten applications had been made to the House since the Civil List was established, in order to obtain the discharge of its arrears, no such proposition as the present was ever brought forward. In all former applications respecting the Civil List, accounts had been furnished, but in such a way as to throw no light whatever on the subject. [Hear, hear!] At present very minute details had been given, and every one who looked at them might judge of the state of the Civil List without examining witnesses *vivâ voce.*

Mr. *Thomas Courtenay* conceived that he was the member whose former opinions had been alluded to by Mr. Wynn. He had not denied the right of the House in regard to the Civil List; but he had stated, and he would state again, that from the period of the settlement of the Civil List upon its present footing, a few years after the Revolution, no such motion as that made by the right hon. gentleman had ever been agreed to, or even been proposed to the House; although there had been many hostile motions in regard to the Civil List. It was very true, that the House had, in the year 1780, resolved, that it had a right to correct abuses in the Civil List; but there were many branches of the Civil List besides those connected with the King's household, and a distinction of this nature had, at the time, been taken by sir Fletcher Norton. He would not now argue as to the effect of the statement which he had made; but being called upon by the hon. and learned gentleman, he could not forbear from repeating it; and he could assure the hon. and learned gentleman that he was quite mistaken in supposing that he had been on the former occasions "put forward" by ministers to make statements of this nature; they were the result of his own research; and he could not yield in this respect to the hon. and learned gentleman.

Mr. *Peter Moore* maintained, that every advance to any department of the state was constitutionally subject to the audit of the public, with a few exceptions, to which the head of expenditure, alluded to in the motion, did certainly not belong.

Mr. *Long* stated, that the furniture provided for the accommodation of the Allied Sovereigns, and upon which the right hon. mover had so much animadverted, had been thus disposed of: part had been sent to Cumberland Lodge, and the remainder was lodged in proper stores, to be reserved for other purposes. With regard to the motion, he thought it a mere shifting of ground on the part of the right hon. gentleman. What on a former evening he moved for generally, he now proposed with respect to a particular person. But if the right hon. gentleman's proposition were acceded to, he no doubt meant to move also for the examination of other persons [Mr. Tierney nodded assent]. That being the case, he called upon the House to withstand the principle of the motion; which principle, if adopted, was but too likely to be acted upon hereafter, in a manner not so much calculated to promote public good as to gratify private pique.

Mr. *Tierney*, in reply, observed, that the last speaker argued the question fairly and manfully, for he had laid down the broad principle that it was not to be admitted that any evidence should ever be examined as to the situation of the Civil List. Thus the right hon. gentleman would provide effectually against every prying person disposed to meddle with that subject. But then on the other hand if no such examination were allowed, did it not afford an encouragement to the Crown to contract debts, and to indulge in extravagance? For there could be no control if there were no power of inquiry; and inquiry must be useless, if no information was to be obtained upon which any reliance could be placed. As to the danger which some gentlemen professed to apprehend of improper scrutiny, if the power he required were granted to the committee, he would ask, whether such an apprehension could be seriously entertained by any man who looked at the members of that committee, who looked at the eight right hon. gentlemen about the Treasury-bench, all drawn up in battle array to guard the Crown against any indiscreet inquirers in the committee? The right hon. gentleman who spoke last had observed, that if he (Mr. T.) were on the committee of 1812, he would have understood the statement of Mr. Mash; and yet the right hon. gentleman himself, who was on that committee, did not understand that statement, as appeared from the note recently sent to Mr. Mash, to obtain an explanation. As to the furniture which cost 35,000*l.* he would ask, why part of it was sent to Cumberland-lodge, and who was there to use it? He would also ask, why the remainder was placed in stores—where, and by whose order? These were questions which, among others, he wished to put to Mr. Mash, and therefore he was anxious to arm the committee with power to send for that evidence.—He contended he had made out a good and sufficient case in the Lord Chamberlain's department; and, if he were permitted, perhaps he could make out as good a one in the Lord Steward's and the Master of the Horse. He hoped, however, he had convinced the House, that there ought to be a *vivâ voce* examination. The noble lord had said that he was sure he (Mr. Tierney) would not be so unjust as to compare the present expenditure of the Civil List with that in 1804. He certainly would not: but the noble lord had done that which he expected would be done; he had told the House that in 1812 Parliament sanctioned an exceeding of 124,000*l.* If, however, there was one person who on that occasion raised his voice louder than another, to caution Parliament against the step it was taking, he believed it was himself. With the help of that 124,000*l.* the noble lord had reduced the excess to 90,000*l.*, though he (Mr. Tierney) was at a loss to comprehend the process by which he did it. However, he would not dispute the noble lord's figures; they should be all right if he pleased; but, at the same time, the noble lord had not impugned any of his (Mr. T.'s) figures; and a more monstrous case of court extravagance had never, in his opinion, been brought before Parliament. The noble lord had talked about the debts of the Prince Regent. Why had they not been manfully and fairly brought before Parliament? In which case he, for one, however reluctantly, but considering that they must ultimately be liquidated, would have been willing to have them paid. At present they were no more paid out of the Prince Regent's money than they were out of his (Mr. Tierney's); for the allowance which was consecrated to their discharge, in point of fact, ceased and determined from the moment he assumed the functions of Regent. These debts, therefore, were an incumbrance to the country to their whole amount, because, were it not for them, the funds now appropriated to their discharge would have been set free, and have returned into the general revenue of the country. The points he had pressed were by no means answered. Those points were, first, what had been the superintendance exercised over the expenditure of the Civil List; and, second, what estimates had been prepared by which its future expenditure might be fixed and determined? It appeared that no superintendance at all had been exercised hitherto, though the noble lord had given them to understand that now it would begin, and therefore he could not deny that he (Mr. Tierney) had done a little good; for if he had never agitated the question, they would have heard nothing of the warrant mentioned by the noble lord. What was the date of that warrant? And might not the warrant which was granted to-day be revoked tomorrow? What he wanted was, thorough and satisfactory examination; and to oppose that examination one reason or another would always be found, unless Parliament took it into its own hands. It was surely too much to tell the country that no inquiry should be granted into the debts contracted by the Court, when by the operation of the Property-tax, the private affairs of every man in the kingdom was liable to be examined into. He should not trouble the House further, but sit down, in the hope that he had shown enough to convince it of the necessity of inquiry.

The House then divided:

For the Motion 119
Against it 175
Majority against it.......... —56

List of the Minority.

Abercrombie, hon. J.
Althorpe, lord
Anson, hon. gen.
Atherley, A.
Aubrey, sir J.
Acland, sir T.
Barham, J. F.
Bernard, lord
Bennet, hon. H. G.
Bewicke, C.
Birch, J.
Burrell, hon. P. R. D.
Burrell, sir C.
Boughey, sir J.
Byng, G.
Buller, Jas.
Bankes, H.
Beach, M. H.
Beach, W. H.
Blackburn, J.
Burdett, sir F.
Babington, T.
Butterworth, Jos.
Calvert, Ch.
Calvert, N.
Campbell, hon. J.
Campbell, gen. D.
Cavendish, lord C.
Cavendish, H.
Chaloner, R.
Cocks, hon. J.
Cocks, J.
Carew, R. S.
Coke, T. W.
Dickenson, W.
Dundas, Ch.
Duncannon, lord
Dundas, hon. L.
Elliot, right hon. W.
Ellison, C.
Finlay, K.
Fergusson, sir R.
Fazakerley, J. N.
Foley, hon. A.
Foley, Tho.
Frankland, W.
Fremantle, W.
Fane, J.
Fellowes, W. H.
Gordon, R.
Grant, J. P.
Grattan, right hon. H.
Grenfell, P.
Guise, sir W.
Geary, sir W.
Hammersley, H.
Horner, F.
Hanbury, Wm.
Halsey, J.
Hamilton, lord A.
Heron, sir R.
Hornby, E.
Howorth, H.
Keck, G. A. L.
Langton, W. G.
Latouche, R.
Lefevre, C. S.
Lemon, sir W.
Lewis, F.
Lyttelton, hon. W.
Lloyd, sir E.
Lloyd, M.
Methuen, Paul
Mackintosh, sir J.
Martin, H.
Martin, J.
Milton, lord
Monck, sir C.
Moore, P.
Morpeth, lord
Morritt, B. S.
Mostyn, sir Thos.
Molyneux, H.
Newman, R. W.
Newport, sir J.
O'Hara, Chas.
Parnell, sir H.
Pelham, hon. C.
Philips, G.
Prittie, hon. F. A.
Plumer, Wm.
Ponsonby, rt. hon. G.
Pym, F.
Plunkett, rt. hon. W.
Proby, lord
Protheroe, E.
Russell, lord W.
Ramsden, J. C.
Ridley, sir M. W.
Romilly, sir S.
Rowley, sir W.
Sebright, sir J.
Scudamore, R. P.
Smith, J.
Smith, R.
Smith, W.
Smyth, J. H.
Stanley, lord
Speirs, Arch.
Tavistock, marq.
Tierney, right hon. G.
Tremayne, J. H.
Whitbread, S.
Walpole, hon. G.
Western, C. C.
Wharton, J.
Williams, Owen
Warre, J. A.
Wilberforce, W.

TELLERS.
Robert Greenhill.
C. W. Wynn.

HOUSE OF LORDS.

Tuesday, May 9.

Liberty of the Subject Bill.] The Marquis of *Lansdowne* moved the second reading of the Bill for better securing the Liberty of the Subject. The noble lord said that the object of the Bill was twofold; the one was to authorize individual judges, during the vacation, to issue the writ of Habeas Corpus; and the other was to empower the judge to allow the return to be traversed, and to liberate the party in case the return were false, and to give greater expedition and facility to the action for a false return. Individual judges had long been in the practice of issuing these writs during the vacation, and therefore so far the Bill could not be considered as carrying the remedy beyond what it practically was at this moment: but then it had been doubted whether the power of the individual judges rested upon any thing but the practice. In the year 1757, certain questions had been put to the judges on this subject, and the answers were contradictory. It was fitting, therefore, that the law on this subject should be clearly settled and declared. The other part of the Bill was necessary, in order to render the remedy complete, for at present a return before a judge in vacation could not be traversed, however false; and if the party against whom the writ was directed refused to make any return, he could not be punished for contempt, and no action could be brought against him till the next term. The party aggrieved might by this means be deprived of all remedy, for before term time he might be hurried away out of the country, and might lose his health or his life before he could have any opportunity of bringing his action; and even if he should at length have that opportunity, the person who committed the wrong might not be to be found. He understood that the Bill was to be opposed as being injurious in cases of lunatics and the impress service, but he could not conceive how it could do any harm in either. The only effect would be to prevent persons being confined in either case, who ought not legally to be so restrained.

Lord *Ellenborough* stated, that judges had been in the constant practice of granting this writ in vacation time before and since the year 1757. The Lords had at that time suggested the propriety of preparing a Bill on the subject, but none such had been passed, probably because no inconvenience had been felt; and a Bill prepared by the judges had been laid aside, and one had been drawn up by that great ornament of the law, Mr. Justice Foster, which was published in the account of his life which had lately appeared, and that was the Bill now before their lordships: but from the year 1757 till the publication of the work in question, nothing had been done; and the abandonment of the object was a proof that it had not been found necessary to introduce any such Bill. The judges in vacation time exercised the right of granting these writs, and the remedy rested on the broad foundation of the common law as well as on statute and practice. It was true, the judge had no power to enforce the remedy immediately, in case no return were made; but then immediately on the commencement of the term a return could be compelled, and the offending party punished for contempt. In his own judicial experience of thirteen years, he had only known one instance of such refusal. It was in the case of a person who refused to make any return till the term, detaining in the interval a girl whom he had seduced, and whose liberation was the object of the writ. The court immediately on the commencement of term punished him for the contempt, by six months imprisonment. As to the case of lunatics, no well-founded application had ever been made to him on that subject. But the danger to the naval service was manifest; for if this Bill were to pass, when a fleet was about to sail on an important service, innumerable applications would be made for these writs, and considering the description of persons who were usually employed as law agents by the seamen, there could hardly be any want of affidavits. These would be traversed; the officers would be delayed; and irreparable mischief might result to the public service. He deprecated likewise the laying the burthen of punishing for contempts on individual judges. No one could be more willing than he would be to give every proper effect to this remedy; but at present there appeared no case of pressure, and he could not, therefore, agree to the second reading of the Bill.

The *Lord Chancellor* said, that however he might be disposed to endeavour to give effect to a Bill of this kind resting on a narrower basis, he could not assent to the further progress of the present Bill. There were two cases in which it would be most mischievous; first, with respect to lunatics: persons who had recovered from this last of human calamities were often confined to prevent a relapse; and even those who were most attached to them were the persons, who often, by demanding this writ for their liberation, did them the greatest injury. Besides, under this Bill, the writ might be demanded by any body; and yet it had been said by lord Mansfield, that in cases of lunatics, such writs ought to be demanded only by those who were interested for the lunatic. Besides, the Chancery knew of no terms, for it was always sitting. Then, as to the effect on the naval service, affidavits would be readily made for the reasons stated by his noble and learned friend, and those affidavits might be met by counter-affidavits; and more applications would be made in a week for such writs than all the judges could manage in a month. The whole would be an endless scene of litigation, confusion, and mischief to all the parties concerned. And besides, as the whole case would be disclosed on the affidavits, the action for a false return must be abolished; or if it were to be retained, it could be brought just as soon as this new action under this Bill, for no declaration could be delivered till the commencement of the term.

Lord *Grenville* said, that it was sufficient to know that a case might exist which required a remedy, to induce their lordships to pass the Bill: but it evidently appeared, even on the statements of the noble and learned lords themselves, that some remedy was requisite, and that the want of it had been felt in practice: a person had from the want of it been able to detain a young woman, whom he had seduced, for three weeks. As to the case of lunatics, the evils which the noble lord on the woolsack dreaded, might be remedied in the Committee: and it was to be considered that though the recurrence of the malady might, in some instances, be prevented by proper restraint, the malady might be brought on by undue confinement. As to the other point, there could be no wish in any quarter to injure the naval service; but it was a great object to prevent abuse of the powers necessary for the interests of that service. Persons not subject to the duties imposed on seamen might be taken, and unless an immediate remedy could be had, the case must often be without remedy; for a man, to use the language of Mr. Justice Foster, might be hurried away to the most distant quarter of the globe without any legal authority; and what signified it, in such a case, to say, that he had his action against one who might perhaps be no where to be found? One of the objects of the Bill was to guard against this inconvenience, without trenching on the powers which the law necessarily gave for the protection of that service which was the safeguard of the law itself—a power which must exist till the means could be found of providing in some other way for the effective supply of the navy. Upon the whole, he gave the Bill his firm support, and hoped it would be allowed to go to a committee.

Earl *Stanhope* said, that the noble lords opposite seemed not to be aware of the danger to which, under the existing law on this subject, they were exposed; for, by a clause in the Habeas Corpus Act, 31 Car. 2. those who were any way concerned in sending a person beyond seas illegally, were liable to the pains and penalties of a *præmunire*—they were to be out of the law—to forfeit their goods, chattels, lands, &c. The noble and learned lord on the woolsack had said, that the Court of Chancery was always sitting, and indeed it was a technical saying, that Hell and the Court of Chancery were always open; but then the whole of the business would fall upon the noble lord's shoulders, when it came to be known that he was always in waiting to grant these writs; and the noble lord could not complain, as he brought it on himself.

The Marquis of *Lansdowne* said, he had heard nothing to convince him that the Bill was unnecessary, and still urged the second reading.

The motion was, however, negatived; and on the motion of lord Ellenborough, the Bill was ordered to be read a second time on that day six months.

HOUSE OF COMMONS.

Tuesday, May 9.

SHIP LETTER BILL.] Mr. *Shaw* rose to present a petition from certain merchants of London, against the Ship Letter Act. They particularly complained of the clause which enabled the port officers to search for letters and parcels on board merchant vessels. Their ground of complaint was, that they were obliged to pay, in cases where Government had provided no mode of communication, for the transfer of their correspondence. To this clause their main objection applied.

Mr. *Forbes* concurred in the object of the petitioners. In the affairs of the East India Company he had had opportunities of seeing the inconveniences which arose from such a regulation as this Act imposed.

Mr. *Finlay* said, the subject was one of great inconvenience, so much so, that the owners of vessels, in several commercial towns would not allow any letters to be sent through their medium, lest their ships should be exposed to such an examination. This was a hardship, in cases where Government provided no mode of transfer.

The *Chancellor of the Exchequer* said, that the Bill contained no new provisions; some of its clauses were as old as the reign of queen Anne. The Government, on behalf of the revenue, had no idea of imposing inconveniences upon the mercantile interest of the country; and he had little doubt, that on a general view of the subject, such regulations might be made as would answer all purposes, without the intervention of injury or inconvenience to any of the parties.

Mr. *Forbes* repeated his objections to the Act, and gave notice, that on that day week he would move for copies of all correspondence relative to this subject, between the Postmasters-general and the Court of Directors of the East India Company, also between the East India Agents and the Lords of the Treasury.

The Petition was then brought up, and ordered to lie on the table.

Poor Removal Bill.] Sir *Egerton Brydges*, in moving for leave to bring in a Bill to prevent the removal of chargeable paupers till a final adjudication of their respective settlements, observed, that it might at first view appear extraordinary that the law could ever have been otherwise than according to the proposal which he was now about to make. But in looking back to the times when magistrates were first authorized to remove, it would be found that the question of settlements did not then, as now, involve decisions on some of the most intricate and subtle points of the law. It was intended merely to give power to justices to remove those who had no fixed abode in a parish to the place of their last residence; or, if they had none such, of their birth. But the law of settlements had long become so complex and voluminous, that it seemed utterly grievous and intolerable to continue to delegate a power so vitally affecting the happiness, livelihood, and morals of paupers, and so expensive to parishes, to a hasty first decision of two magistrates founded on *ex-parte* evidence. A pauper might thus be dragged or carted from one end of the kingdom to the other; from the home where all his connexions were formed, and the spot which had hitherto furnished him with the means of an industrious livelihood, to some remote parish where there was only a poor-house to receive him, and nothing but the parish dole for his support. And after all this cruelty had been committed, and cost incurred, a little more inquiry might show the order to be founded on erroneous or imperfect facts, or mistaken law; and the prosecution of an appeal might drag the pauper back again as a witness to the county from whence he came; and if the order should be confirmed, he might be sent a second time back to the place of his first removal; or, if quashed, perhaps to some other parish in the same neighbourhood. But all this he had dwelt so fully upon last year, that he would not debate it again. Sir Egerton said, it was his purpose to put an end to the sufferings and expenses of these intermediate and useless removals. But if such were the evils to be removed, were there any objections to counterbalance the good of the plan proposed? Really, of the only two of which he could hear, one seemed to him perfectly visionary, and the other founded on injustice and cruelty. The first was the supposed difficulty of contriving means to enforce re-imbursement of the relief granted by the parish where the pauper is resident from the first examination of his settlement, till a final confirmation of the adjudication of that settlement. Sir Egerton said, this was a difficulty perfectly imaginary: and the plan proposed perfectly effectual for the purpose. As to the second objection, that to take away the vexations and hardships of intermediate removals, would be to abolish a useful check to improper and unreasonable demand for relief; he hardly thought that so long as the Legislature entertained the principles of the poor laws, it would endure the inconsistency of defeating its own objects by cruel and contradictory provisions and conditions. As to the detail, that would be better explained by the Bill itself, if he was permitted to bring it in. He would only say, that after a final adjudication of a settlement filed at the Quarter Sessions, it would be at the option of either parish to demand the removal of the pauper, should he still continue chargeable, at its own expense, except under such circumstances as cause the suspension of removals by the existing law; this alteration of the law with regard to immediate removal, cannot, for obvious reasons, be applied to to cases of women pregnant of bastard children. The hon. baronet concluded with moving, "That leave be given to bring in a Bill to prevent the removal of chargeable paupers till a final adjudication of their respective settlements."

After a short conversation between Mr. Atkins Wright, Lord Milton, Mr. Lockhart, and sir C. Monck, leave was given to bring in the Bill.

LOCAL MILITIA.] Mr. *Addington* rose to state the grounds on which he should move for leave to bring in a Bill to enable the King to accept the services of the Local Militia, either in or out of their counties, under certain restrictions. The Bill, in fact, which he intended to propose was a revival, with certain modifications, of the Act of the 53rd of the King, which expired on the 25th of March last. Under the particular circumstances of the period when that Act was passed, such a large portion of our regular army and militia had been called away to serve under the duke of Wellington, that, lest the fortresses should be denuded of troops, the Local Militia had been allowed to volunteer for garrison duty. The present situation of affairs had called on the Government again to propose such a measure to the House, in consequence of a great part of the regular army having been embarked for the continent, while a considerable portion of the remainder had not yet arrived from America. The alteration he should propose in the present Bill was, that the time during which they might remain on duty, which in the former Act had been 42 days, should be limited to 28 days, the longer term having been found inconvenient, particularly in the agricultural counties. He concluded by moving, "That leave be given to bring in a Bill to enable his Majesty to accept the services of the Local Militia, either in or out of their counties, under certain restrictions."

Lord *Milton* contended, that circumstances did not warrant this measure. At the time when the last Act was deemed necessary, every body was anxious to give all possible assistance to the country, under the very extraordinary situation in which it was placed, and, however unconstitutional the measure, no objection was made to it. But in the way ministers were proceeding, the Militia and the Local Militia Acts were a mere nullity, for there was never a session in which some alteration was not made in them. Every step led to another, and it was impossible the men could have any confidence in the promises of the Government, while they were thus trifled with. He trusted that the delusion would not prevail, that the war in which we were about to embark would be one that would terminate in a few months: he should therefore hold the contents of this Act to be as durable as the war. To draw on men to volunteer beyond the period or places for which they were enlisted, was unfair towards them; and he considered the conduct of officers to be reprehensible, by inducing the men to take a step which they themselves had never thought of. It was like shaming the men into volunteering, as the being unwilling to be left behind by others who had turned out was a part of the natural character of a soldier. The Act would go completely to falsify that system which caused the original formation of the Local Militia, and would erect it into precisely what the old militia formerly was. Indeed, he should not be surprised if next year the right hon. gentleman was to bring in an Act to enable the Local Militia to volunteer abroad; and also, with respect to the old militia, to renew indefinitely that measure which was temporarily adopted in 1813. As he considered all measures for tampering with the militia to be so many breaches of faith towards the men, he should oppose the motion.

Mr. *Addington* explained, that the regular militia being at present very incomplete, the object of the present Bill was to enable the Local Militia to supply the vacancies, or to move out of their respective counties, if necessary, to take garrison duty, that the regulars and old militia might increase the effective force of the country.

Mr. *Holme Sumner* was of opinion, that an understood bargain existed between the Legislature and those men who were now enlisted, which ought not to be broken in upon. He should not oppose the motion, though he must confess that his right hon. friend had disappointed his expectations in it.

Mr. *Wrottesley* thought the measure might be salutary, as the House had agreed on the necessity of additional means of defence; but he thought, instead of accepting the volunteering of whole regiments, it would be better to take a few men only from each, and thus leave those who had families or business in their counties to attend to them. As the emergency was as great now as it was in 1813, he could see no possible objection to the measure.

Lord *Stanley* said, the present Bill was a subversion of the militia system, as at first established. When the regulars were called from their respective counties, the local militia, at great inconvenience, undertook their duty, but upon condition, that they should not be sent from their own district. With what justice could they now be put to this inconvenience, when several of the regiments, whose removal had first caused this change, were about to return from America? in fact, part of them had actually reached some of the ports in Ireland. He therefore hoped the Bill, if enacted, would become nugatory.

Mr. *W. Elliot* objected to this system of recruiting, on the general principle, that the men were induced to give a reluctant consent, by being placed in a very odious situation if they refused. He trusted nobody would doubt his earnestness for the defence of the country, but he did not think the circumstances in which it was placed rendered the present measure indispensable.

Mr. *Bathurst* admitted, that the American army was on the eve of its arrival in this country, but its services were likely to be called into action for purposes which might render its removal necessary. The only question was, whether it was likely that the public interest should at a future time require the service of the local militia for 28 days in particular places. If such an event was probable, he trusted the House would agree to the Bill.

Mr. *N. Calvert* was of opinion that the measure would altogether fail in its effects. It could only succeed where great influence was used over the men, such as was possessed by lord Rolle. In some parts, all the officers might turn out, and none of the men might follow.

Mr. *Babington* thought that much of its success would depend on the facilities which would be afforded for providing for the families of the men during their absence.

Leave was given to bring in the Bill, which was brought in accordingly, and read a first time.

Lord *Milton* observed, that as very few persons in the country were aware of a measure of this nature, it was proper to allow due time for its consideration before it should be read a second time.

Mr. *Addington* said the Bill was merely a revival of the measure brought forward eighteen months ago, and therefore that its character and object were fully known to the country.

The second reading was fixed for Friday, and the Bill was ordered to be printed.

British Museum.] The report of the Committee of Supply was brought up. On the Resolution, "That the sum of 5,580*l.* be granted, for enabling the trustees of the British Museum to carry on the trusts reposed in them by Parliament; and also, that the sum of 1,000*l.* be granted to enable the said trustees to proceed in making the necessary purchases for improving the collection of printed books,"

General *Thornton* observed, that some improvement was necessary in the system of this establishment. He could not conceive any good reason why the public should not be admitted into this institution every day, instead of being excluded three days in the week, as was the present custom; and he thought that more facilities should be afforded to the reading of the books contained in the Museum. At present no one was allowed to look into those books without a recommendation from a trustee, or some officer of the House; and those country gentlemen and others who had no acquaintance with those trustees or officers, were, however respectable, excluded from any access to this valuable library.

Mr. *Bankes* thought that the system upon which the Museum was at present conducted scarcely admitted of any improvement, and particularly deprecated the idea of farther facilitating access to the library of that institution. For it must be known, that through improper facilities, many public libraries had been stripped of the most valuable books. Such had notoriously happened to the public library of Paris, when opened indiscriminately to all visitors; and it would be recollected that several valuable prints had recently been stolen from the British Museum.

General *Thornton* called to the recollection of the hon. gentleman, that those prints were purloined, not by an ordinary visitor, but by a friend of a reverend gentleman, one of the officers of the Museum. He hoped that the suggestions which he had thrown out would be taken into consideration by the proper authorities.

The motions were agreed to.

FOREIGN SOLDIERS ENLISTMENT BILL.] The House having resolved itself into a committee on the Bill, "to continue two Acts of his present Majesty, for enabling subjects of foreign states to enlist and serve as soldiers in his Majesty's service, and to enable his Majesty to grant commissions to subjects of foreign states to serve as officers under certain restrictions,"

Mr. *Horner* called the attention of the committee to a clause of the Bill which enacted that his Majesty should be empowered to retain the service of foreign troops for twelve months after the conclusion of any war in which he might happen to be engaged. There were other points connected with the Bill, such as the appointing foreign officers to commissions in British regiments, which he thought demanded the most serious attention of the House, and especially when they recollected the wholesome and constitutional jealousy which our ancestors entertained of the employment of foreign troops. He was sure many members who were then absent, would be anxious to express an opinion upon such a Bill, and to know from the framers of it the precise objects it was intended to embrace. He did not mean to oppose its present stage, but he thought it his duty to state thus shortly his view of the Bill.

The *Speaker* said, that considering the great importance of the Bill, and the just and weighty observations of the hon. and learned member, he should take the liberty of moving—That the chairman do leave the chair, report progress, and ask leave to sit again.

This was accordingly done, and leave was granted for the committee to sit again to-morrow.

INSOLVENT DEBTORS BILL.] Mr. Serjeant *Best* moved the second reading of the Bill for the amendment of the laws relating to insolvent debtors.

General *Thornton* hoped the hon. and learned gentleman would not then press the second reading, as many members who were decidedly hostile to the principles of the Bill, and who intended to oppose it, had left the House.

Mr. Serjeant *Best* agreed that it would be useless to discuss the Bill in so thin a House. He should be happy to have the opinions of every one upon it, and had not the least objection to defer the consideration of it to any day that the hon. general might name.

Sir *Samuel Romilly* said, he had no desire to press the second reading at present, nor to provoke a debate upon the Bill itself; but, as it was probable he should not have any future opportunity of delivering his sentiments, he would venture to trouble the House with a few observation. The Bill, in its present form, certainly appeared to him very objectionable. It embraced two objects; the one, to compel the application of a debtor's property to the payment of his debts; and the other, to inflict a certain proportion of punishment upon debtors who had no property, or only a small portion. With regard to the former, nothing certainly could be more desirable; but he did not think the mode provided by the present Bill was the best. It was hostile to all the soundest principles of legislation, to compel a man to make a declaration upon oath, and then, if that declaration was not true in every respect, to punish him as a felon. He was aware that in the bankrupt laws such a practice prevailed; but it did not, therefore, follow that it was wise to adopt the same practice with regard to all debtors. It was torturing a man's conscience against himself, in a manner which the House ought to pause upon before they sanctioned it. Another objection which he felt to that provision of the Bill was, that its very severity would render it ineffectual, as was the case with the Lords' Act, from which he believed it was exactly copied, and which was already obsolete, there being but few instances in the memory of the oldest professional men where it had been enforced. It would be much better, therefore, to dispense with an enactment, which would soon become a mere dead letter, and substitute in its stead something which might accomplish the desired end. It was fair that debtors should be obliged to give up their property; but the mode of compulsion proposed by his hon. and learned friend, appeared to him to be too severe. He strongly objected to the graduated scale, connected with the Bill, by which a debtor, having given up all his property, was to be imprisoned for a greater or a less time, in proportion to the quantity of debt he was enabled to liquidate. Thus, if a man's property was only equal to the payment of 5*s*. in the pound, the individual was to be confined for a greater length of time than he who paid 10*s.*; and so on, in a certain gradation. This he considered very unjust. When a person had given up all his property, why should he be subjected to farther punishment? Looking to the professional experience of his hon. and learned friend, he had expected a great deal more than he saw in the present measure. He thought it would be better, for instance, to compel the debtor, by legal process, to give up his property, than to produce this effect in the way now proposed. A clause might have been proposed to take the lands of the debtor in execution, which could not at present be done. He also conceived that his hon. and learned friend might have introduced some provision to do away sham pleas and writs of error, by which money was put into the pockets of the officers of the court, and an unfair delay was procured by the debtor, detrimental to the interests of the creditor. These points he expected to have seen remedied; and no person was better able to have introduced provisions for that purpose, than his hon. and learned friend was. He observed a clause in the Bill, by which a debtor, even though he paid a small dividend, could procure his enlargement, provided a majority of his creditors were willing to give their consent to his liberation: but there was not a word in the Bill, as to the manner in which that consent was to be expressed. Sir Samuel concluded by observing, that if such a Bill as this could only interest so small a number of members of parliament as were then present, that circumstance, of itself, formed a strong objection to the progress of the measure. A Bill of this kind ought not to pass, without having the decided approbation of a large portion of the representatives of the people.

Mr. Serjeant *Best* said, he was not so much attached to the provisions of the measure he had introduced, as to reject any clauses which his hon. and learned friend, or any other gentleman, might propose for the purpose of carrying his object into effect, and, at the same time, removing the objections to the present Bill. He abhorred and detested perpetual imprisonment, as much as any gentleman could; but still he looked upon the term of confinement, under the Act which he was desirous of amending, as too short to effect any useful purpose. His hon. and learned friend admitted, on a former evening, that there was, probably, a species of credit, that would be affected by the Act, as it now stood—but he denied that there was any foundation for supposing that its provisions tended to relax the moral feelings of the country. He entirely differed from this sentiment; and he thought it impossible for any gentleman to look at the papers laid on the table of the House, and notice the number of persons who had come from all parts of the country to the metropolis, to get relief from debts, which they had contracted under circumstances that totally precluded the capability of their liquidating them—it was impossible, he said, for any man to contemplate this, without perceiving, that the facilities afforded by the new Act, must have had a powerful operation in impairing the moral character of the people—unless it was intended to be argued, that there was no criminality in contracting a debt, and, instead of paying it, living for a certain time in a state of extravagance and profligacy, and then coming forth, completely freed from any further trouble or molestation on the subject. His hon. and learned friend had adverted to the necessity of making various alterations in the Bill, in a committee. He had no objections to that. He wished his hon. and learned friend might hear examined at their bar the keepers of the principal prisons in the metropolis where debtors were confined, and who were the most competent persons to speak to the effects of the late Act. They would inform him, that such was the system of dissipation carried on by debtors who had thronged into their respective gaols, to take the benefit of the Insolvent Act, that they (the keepers) were obliged to apply to the courts at Westminster for stronger powers than they before possessed, to check the growing evil. He was glad his hon. and learned friend concurred with him in the propriety of compelling persons, who would rather continue in prison than give a just account of their property, to make a satisfactory return—although he objected to the severity of the punishment, in case of a refusal to make the necessary disclosure. His hon. and learned friend thought, instead of being transported, the offending parties ought to be subjected to certain penalties: but surely it must suggest itself to the excellent understanding of his hon. and learned friend, that a Bill providing penalties would be completely nugatory. If the coercion of imprisonment would not induce a debtor to make a discovery of his property, how could any penalty produce such an effect? This compulsory clause, however severe, was not new in legislation. Under the Lords' Act the compulsory clause was confined to debts not amounting to 100*l.* The reason that it was rarely acted on was therefore evident. It must occur to every one, that the cases to which the clause applied, would seldom be connected with circumstances, that would make it worth the while of any individual to prosecute under that provision. One instance, had, however, taken place in the term just closed, where a person who had refused to give up his property, was indicted under the Lords' Act. The compulsory clause ought, as it did in the Bill before the House, to refer to cases where individuals, possessed of extensive means, having contracted immense debts, chose to live extravagantly in prison, instead of satisfying their just creditors: and, he believed, many individuals, who now lived most luxuriously in gaol, would pay their debts the moment they found they were threatened with a severe punishment, if they persisted in withholding their property from those who had claims on it. Though he was by no means friendly to the severity of the old law, by which a man might be confined for an indefinite period, still he conceived, that considerable severity was called for, in order to compel the payment of debts. In this point of view, the graduated scale which this Bill embraced, struck him as being well calculated to obtain his object. By that scale, the greater the dividend which the debtor paid, the less would be the period of his confinement. Encouragement was thus given for a prompt and early settlement of every demand. His hon. and learned friend expressed some surprise that he had not endeavoured to provide against sham pleas, and other modes of procuring delay, hurtful to the creditor. Now, it did appear to him, that the graduated scale of payment and imprisonment would prevent the evil complained of; because, if a debtor had recourse to the forms alluded to by his hon. and learned friend, the proceeding would necessarily tend to increase the original debt, and to consume his means of paying it. The debtor would, therefore, every step of this kind he took, be subjecting himself to an increased term of imprisonment. If, however, this were not deemed sufficient to remedy the inconvenience, he was ready to bring in a clause himself, for that purpose, or to adopt any provision which his hon. and learned friend might consider necessary. With respect to a legal process, to compel the discovery of property, he had no objection to such a measure; and he thought it ought to extend both to landed and funded property. This, however, did not appear to him proper to be comprised within the provisions of the Bill: a separate enactment would probably be better. If, however, his hon. and learned friend was of a different opinion, and introduced a clause on this point, he would give it his support.

Mr. *Horner* was proceeding to make some observations, when

General *Thornton* rose to order. He said he had been unwilling to prevent the learned serjeant from replying to the hon. and learned gentleman, but he must now desire that the House might be counted.

There being only twelve members present, the House immediately adjourned.

HOUSE OF LORDS.

Wednesday, May 10.

Property Tax Bill.] On the motion for the second reading of the Property Tax Bill,

Earl *Stanhope* said, that when the Corn Bill was before their lordships, he had done every thing in his power to prevent that course of measures and enactments which, in his opinion, had a tendency to grind the faces of the poor. He had exerted himself for the same object when addressing himself to their lordships, with reference to certain taxes which had been proposed in the House of Commons; being at all times desirous, as much as in him lay, to be the advocate of the poor, and to support their cause, when, according to his views, they happened at any time to be unfairly treated. On the same principles which led him to object to the measures and enactments to which he alluded, he must now oppose this tax upon income, or at least one particular part of it. Their lordships would recollect, that the method proposed by him for relieving the occupiers of land, without the necessity of having recourse to the Corn Bill, was to take off or reduce those taxes which bore directly on the farmer, and by this means enable him to sell his corn cheaper without injury to agricultural industry, which ought always to be encouraged. The part of the present Bill to which he particularly objected was that which related to the occupiers of land, who were obliged to pay 18 pence on the amount of the rent, and who would, in order to reimburse themselves, be under the necessity of raising the price of corn and bread. As far as this tax related to proprietors, such as he himself was, he thought it a most proper measure; as far as it related to stockholders, he did not mean to object to it; and as far as it related to places, offices, and pensions under and from the Crown, he could state no objection to it. In the last case, he thought it worthy of approbation. But with respect to the occupiers of land, and other classes in similar circumstances, the operation was most mischievous; for the farmer was forced to raise the price of corn and bread, and the tax then fell heavily on the poor in the increased prices of the necessaries of life. These taxes, which could be thus shifted, always fell most heavily on the consumer. If a tax were imposed on a soap-boiler, it was not paid by him, for he increased the price of soap in proportion; but it was paid by the consumer, though the soap-boiler likewise suffered, as, owing to the increased price, he could not sell so much soap. So it was with the farmer, who shifted the greatest part of the burthen on the consumer, while he himself must suffer from the decrease of ability to purchase, owing to the increased prices. In consequence, too, of the increased prices of the necessaries of life, the farmers' workmen as well as others would demand an increase of wages, and the farmer would be obliged still further to increase the price of corn to indemnify himself. So it would be with the workmen in the manufactories. The advanced price of the necessaries of life would raise the price of labour, and this again would raise the prices of the manufactured articles, both for home consumption and exportation, and thus the commerce of the country, and its industry throughout, would be most prejudicially affected. The expenses, too, of supplies of provisions for the army and navy would be considerably increased; so that, on every account, these taxes which so immediately bore upon the prices of the necessaries of life, ought to be avoided. But there was an argument in favour of this mode of taxation, which, though not openly stated, was whispered about among men of weight and authority; and it was this, that as the stockholders were taxed, every other species of property or industry must be taxed. But that argument was absurd in the view which he had of it. The ground of it was, that unless every other species of property were taxed, it would be a breach of public faith to tax the fund-holders. Now, the occupiers of land only paid 18 pence, whereas the fund-holders were taxed two shillings in the pound; so that if there was a breach of faith, it took place upon the present plan, completely as if the occupier of land were relieved. Such being the state of the case, he saw no reason why they should not be relieved; for as the tax was at present framed and collected, it was unequal and inquisitorial, and the remedy ought without delay to be applied. Till that remedy was applied, he could not give a cordial assent to the passing of the Bill.

The Earl of *Liverpool* did not feel himself called upon to trouble their lordships at any great length on the subject of this Bill, but he thought it incumbent on him to say a few words in consequence of what had fallen from the noble earl. That this tax or any tax must be attended with more or less pressure upon some or all classes of the community, could not be doubted; but when the necessity clearly existed of imposing a heavy burthen on the nation in the way of taxation, the only question was, in what way it could be raised with the least possible inconvenience and pressure. Now, he conceived it was a great recommendation to a tax, that it spread as generally as possible over the community, and every species of property; and he considered this as upon the whole the most equal and the fairest method by which so large a sum could be collected. He knew there were some who thought that a tax on capital would be by far the best method. That, he confessed, was not by any means his opinion. He believed the tax on capital would be attended with all the difficulties and disadvantages which had been urged as objections against this tax, and also with a great many others to which this tax was not liable. It was impossible to invent any system of taxation which would not fall unequally on some sorts of property or industry; for there were some descriptions of property much more visible and tangible than others, so that the means of evasion did not exist, which certainly did exist more or less with respect to some descriptions of property. But upon the whole, after all the consideration he had given to the subject, and after all the observations which he had been enabled to make respecting the operation of the tax, it was the least unequal and the least oppressive way in which so great a sum could be collected; and perhaps there was no other way in which it could be raised with so little comparative pressure upon the poorer classes of the community. In this last view of it, therefore, there was no tax which ought to excite less objection in the mind of the noble earl. Without going into the subject further, he trusted that upon due consideration of the situation in which the country stood, and the necessity of a large supply, upon all the different views which might be taken of what was the proper policy of the country under the present circumstances, this Bill would be permitted to proceed without any very serious opposition. The necessity of preparation was admitted on all hands; for that purpose a large supply was necessary, and there was no way in which that supply could be raised in a way so little objectionable as the present.

Earl *Grey* said, he did not rise to oppose the second reading of this Bill, though he had by no means the same favourable opinion of it as a plan of taxation which appeared to be entertained by the noble earl opposite: but the country had been unexpectedly placed in circumstances in which considerable preparations were certainly necessary, and perhaps as this tax was only to last for one year, it was, provided some amendments were made, the least objectionable mode of raising so large a sum which could be immediately devised. He considered the Government, however, as pledged to the people, that it should not last beyond the year, unless the circumstances should be such as absolutely and indispensably called for it, and that at all events it was not to last beyond the occasion which called for it; and if he should have the opportunity, he would certainly think it his duty to call for the redemption of that pledge. But what he chiefly wished to advert to at present, was the argument or statement of the noble earl, that this tax was fair and equal in its operation. He differed most widely from the noble earl in that respect; for from what he himself had witnessed, he could say with confidence, that in its operation at least, if not in its principle, the tax was most unequal, vexatious, and oppressive; and he believed it be so in that particular to which his noble friend near him (earl Stanhope) adverted. His noble friend was mistaken when he supposed that the farmer paid only 18 pence in the pound on his profits, for he paid 18 pence out of the whole rent, as a criterion by which to estimate the two shillings in the pound on his profits. Now that was, in very many cases, a most unfair criterion by which to judge of the farmer's profits, and when the Bill came into the committee, he trusted that some remedy would be applied in that particular. There was another point which he wished to press upon the attention of the noble earl opposite, and that was, that every care ought to be taken by that noble earl, and those concerned in the proper execution of this Act, that the tax should be collected with as much equality as possible. It appeared from a schedule which had been laid on the table, that out of the fourteen millions raised by this tax, only about two millions were raised from trade, and the other twelve millions chiefly from land. He knew that the tax had been collected on different principles in different places. In some places, such as the county with which he was more peculiarly connected, the tax was collected on the actual rent with the utmost severity, while in other places the assessments for rates, or county rates, or something of that description, were taken as the criterion. He did not, as he had before stated, mean at this time to press any objection to the Bill altogether, being sensible that under the present circumstances any objections stated by him would be unavailing, and being aware also of the necessity of a prompt and immediate supply; but he trusted the noble earl would not object to its going into a committee, that some of the worst features of the tax might, if possible, be softened and amended. But with respect to the nature of the tax itself, he must repeat, that it was in his opinion most unequal and vexatious in its operation, and one which, of all other modes of taxation, appeared to be most repugnant to the nature and genius of the British constitution.

The Earl of *Liverpool* stated, that he had not said that the tax was perfectly equal, and free from objection in its operation. He had only said, that of all the ways in which so large a sum could be raised, it was upon the whole the least unequal and oppressive.

Earl *Stanhope* repeated his objections to the Bill, on the ground which he had before taken, and read from a paper which had been laid on the table, the proportions which each of the five sources mentioned in that paper produced. The difference between the pressure on land and trade was remarkable, and the most proper remedy in every point of view would be to relieve the occupiers of land.

The Bill was then read a second time. The Earl of Liverpool moved, that the committment of the Bill be dispensed with, and that it be read a third time to-morrow.

The Duke of *Norfolk* contended, that the Bill ought to be committed, in order to remedy some of those objections to which it was liable in its operation. The tax itself he thought the most fair and equal that could be imposed, provided its inquisitorial character, and the worst points in its operation, could be got rid of. It was material for that purpose, that the Bill should be allowed to go into a committee. Among other particulars, with respect to which the Bill required some amendments, there was the provision by which leases were subjected to a new valuation every seven years, and thus the tenant might be deprived in a great measure of the proper returns for his capital, laid out in the expectation of being reimbursed at a distant period. Suppose he were to let a long lease to a tenant at a given rent. Corn, which some time ago was at 16 shillings the bushel, might now not yield half the price, and yet nothing could be more unequal than to make the farmer pay at the same rate during each of these periods. He was perfectly aware of the importance to the country of being in a proper state of preparation, for this was the way to prosecute war with effect, if that should be necessary; and the best means of securing peace on just and honourable terms, if peace should happily be the result. He had no objection, therefore, to the tax, which of course was to last only as long as the occasion which called for it: but he thought it highly inexpedient to omit the committal of the Bill, when no material delay would be created by that committal.

The Earl of *Liverpool* said, that it was discretionary with the House, whether to commit the Bill or not; and he should not have proposed the third reading without its going into a committee, had this been a new measure. But he had not thought it necessary in the present instance, when he considered that this was a measure which their lordships had already had more than once before them, and that it was now intended to be continued only for one year, unless the same necessity for it existed next year as now. The delay would, besides, be inconvenient; and if the measure were to be continued for more than one year, their lordships would have the opportunity of considering and discussing such modifications as it might appear proper to introduce into the Bill. In the mean time, it did not seem to him expedient that the Bill should be committed.

The Marquis of *Buckingham* said, that the argument of the noble earl himself proved that it was expedient that the Bill should be committed; for if the measure had been more than once under their lordships' consideration, and yet still required amendment, it was the more requisite that it should not pass now without the proper alterations and modifications. He begged not to be understood as disapproving of the tax itself, and there he had the misfortune to differ from his noble friend near him (earl Grey); but thinking the tax a proper one, he still thought the Bill ought to be committed, in order to remove some objections in the details to which it might be liable.

The House then divided on the question, that the Bill be read a third time tomorrow. Contents, 23; Non-Contents, 8: Majority, 15.

HOUSE OF COMMONS.

Wednesday, May 10.

Treaty of Vienna.] Mr. *Whitbread* inquired whether any message was to be expected from the Crown, within the present or the next week, with respect to the late Treaty with the Allies?

Lord *Castlereagh* replied, that the ratification of the Treaty alluded to had not yet been received from Vienna, and that therefore he could not answer the hon. gentleman's question.

Mr. *Whitbread* asked, upon what day and to what extent the noble lord proposed to move an adjournment for the holidays?

Lord *Castlereagh* answered, that he should move the adjournment on Friday, until Thursday in the next week.

Mr. *Whitbread* expressed his hope, that a subject of so much importance as the Treaty to which he had alluded would not be pressed into discussion without due notice. He calculated, that if the Message from the Crown should be presented on Thursday se'nnight, the discussion would be fixed for the following day.

Mr. *Ponsonby* asked, whether it was intended to lay before the House a copy of the communication from our Government to that of Russia, in 1811, including the letter of the Prince Regent to the Emperor Alexander?

Lord *Castlereagh* said, that he did not think it would be advantageous to the public service to present the communication alluded to by the right hon. gentleman; and he was persuaded, that if the right hon. gentleman were aware of the nature of the objection, he would be of the same opinion.

Mr. *Ponsonby* declared, that he was not aware of any objection to the production of this paper.

LOTTERIES.] In the Committee of Ways and Means the Chancellor of the Exchequer moved, that a Lottery consisting of 60,000 tickets should be voted for the service of the year 1815.

Mr. *Whitbread* strongly objected to this scheme of finance, as inconsistent with the principles of public morality. Indeed, the evils resulting from lotteries were so fully disclosed in the Reports of two committees of that House, that he could not help expressing his surprise at the proposed continuance of such a system by any Chancellor of the Exchequer, but especially by the right hon. gentleman opposite, who uniformly professed so much solicitude for the interests of morality. Some checks were, he was told, imposed upon the evils heretofore produced by lotteries; but he was decidedly of opinion, that no profit could accrue to the public treasury, sufficient to compensate for the evil which lotteries were calculated to produce.

The *Chancellor of the Exchequer* regretted the necessity of resorting to this plan of finance; but he had the consolation to think that the evils to which the hon. member alluded, and which he admitted to have been considerable under former arrangements of the lottery, were now done away through the establishment of a variety of salutary checks, among which the shortness of the period in which each lottery was drawn, was perhaps the most effective, as it put an end to the gambling to which the length of that period heretofore afforded but too much temptation and opportunity.

Mr. *Whitbread* was glad to hear that the evil was diminished, but he should rather have heard that it was entirely removed. From the right hon. gentleman's character he was led to expect that he was not disposed to sell so much wickedness for so small a price.

The Resolution was agreed to.

BILL TO EXEMPT PLACES OF WORSHIP FROM PAROCHIAL RATES.] *The Chancellor of the Exchequer* moved for leave to bring in a Bill for exempting from the payment of parochial rates, churches, chapels, and other places exclusively appropriated to the purposes of religious worship, and the gratuitous instruction of the poor.

Mr. *Whitbread* expressed his entire approbation of the measure, which, in his opinion, ought to have been adopted long since, for the satisfaction of those religious persons, who were, he hoped, very numerous in this country; but he could not forbear from saying, that he was sorry to have such a laudable measure preceded by a Resolution so subversive of morality as the continuance of lotteries.

The motion was agreed to, the Bill was brought in, read a first, and ordered for a second reading on Friday se'nnight.

HOUSE OF LORDS.

Thursday, May 11.

ALIEN BILL.] On the question for the third reading of the Aliens Regulation Bill,

Earl *Stanhope* made a variety of observations, but particularly upon the language and diction of the Bill, which he contended was erroneous, and liable to much misconstruction. He dwelt a good deal on what he conceived the necessity of having certain parentheses in the Bill, properly distinguished in the Bill. It was well known that all the stops, colons, commas, semicolons, and so on, were introduced by the King's printer, when Bills came under his hands; but never the parentheses, for which proper blanks were left in the original Bill or Record; and he defied either of the noble and learned lords (Redesdale and Ellenborough) on the right and on the left of a much better judge than either of them (the Lord Chancellor) to controvert what he said. By his construction of the part of the Bill to which he more especially referred, an individual might be indicted for the non-commission of an offence against the Act, as well as for the commission of one; and to obviate this glaring defect, as he considered it to be, he moved for the omission of certain words in that part of Bill.

The Bill being read a third time, the question was formally put on the amendment proposed by the noble earl, which was negatived, and the Bill was then passed.

PROPERTY-TAX BILL.] On the motion for the third reading of this Bill,

The Duke of *Norfolk* repeated his approbation of the principle of the Bill, and his conviction that the clamours and outcries which had been raised against it were unfounded. The Executive Government ought not to suffer itself to be influenced improperly by such means, and the firmness which they had displayed during the outcry against the Corn-bill was much to their credit; for, whether that measure was right or not, the decision ought not to be influenced by such clamours. But while he approved of the principle of the Bill, he was aware that it required much modification in the details. There could not be a more equal and proper tax than this, if it were confined to property secured—he meant land, property in the funds, mortgages, bonds, &c.; but income derived from trade and personal exertion, which was uncertain in its nature, ought not to be so taxed. The Bill required amendment, too, in the case of the occupiers of land, who paid according to a very uncertain and unfair criterion. He recommended it, therefore, to ministers to consider whether several very material amendments and modifications might not be made in this plan of taxation, in case it were necessary to continue it beyond the year. He considered the situation of the country to be such as to require this great financial measure, and he hoped the eventual use of the extensive powers entrusted to his Majesty's Government, would be the establishment of a secure peace upon fair and honourable terms, such as a nation like this had a right to expect. Upon these grounds it was that he now voted for the third reading of the Bill.

The Earl of *Darnley* expressed his concurrence in the general scope and tendency of the noble duke's opinions; and alluding to the particular description of persons whom he, with the noble duke, thought were so pressed upon by the Bill, he expressed his hope that justice would be afforded to a class of men always remarkable for their loyalty and exertions, and who were at all times ready to bear their due proportion of the public burthens.

The Marquis of *Douglas* thought the tax most unjust and impolitic in its principle and in its operation. It was unjust in its principle because it took a certain proportion of the whole income of the country, and when they once came to take 10 per cent. in this way, they might, on the same principle, take 99 per cent. It was unjust in its operation, because it imposed the burthen most unequally and unfairly on the different kinds of property. He considered this, therefore, as an unjust and unconstitutional tax. Articles of luxury and matters of that kind were the proper objects of taxation, because they limited themselves. He objected, also, to the tax, because he considered it as amounting to a declaration of war. He could not agree that it was to be regarded merely as the means of enabling the Government to place the country in a proper state of preparation with a view to negociations for peace; but as the means of commencing hostilities, to which he was adverse, if peace could be preserved. He was the more convinced of this when he considered it in connexion with the Declaration of the Allies, the Treaty of Vienna, and the Declaration of the King of France. This last Declaration stated, that war was ready to be commenced to replace that King on his throne, and the Declaration of the Allies contained words which appeared very like giving a sanction to assassination. He regretted that this Declaration had been signed by the duke of Wellington, who certainly did not understand it in any such sense. The Declaration, too, was monstrously absurd, because it put all the adherents of Buonaparté out of the pale of law; and by this means outlawed thirty millions of people. If any other noble lord wished to divide the House against the tax, he should be ready to join in giving a negative to the Bill.

The Earl of *Darnley* explained, that the vote he should give on this occasion had no reference to the question of peace or war; nor would it go to imply any thing like approbation on his part of the Declaration of Vienna, or that of Louis 18;

but he voted upon his conviction, that the measure was necessary, under the present circumstances, for the security of the country.

The Earl of *Liverpool* said, that he considered no noble lord as pledged to support a war by agreeing to this Bill, for whether with a view to war, or an armed preparation for negociation, the sum was necessary; and it could not be raised in any other way so advantageously as by this plan. With respect to the clamours against the tax, he admitted that they were in a great degree unfounded: but it certainly had been understood by many respectable individuals, that Government was pledged not to continue this tax beyond the first month of April after the close of the war. This was certainly not intended by those who introduced the measure at the commencement of the last war; but as it had been so understood by many, and as there were words of termination in the Act which were not to be found in the other war-tax acts, Government, in order to avoid even the appearance of breach of faith, were willing to abandon the tax, if possible, because the pledge was supposed to extend to its not being continued under any modification or shape whatever. It had been introduced by a noble friend of his (viscount Sidmouth) about 11 years ago, at a rate of 5 per cent. That had been increased by Mr. Pitt to 7½ per cent. and it had been raised to 10 per cent. when the noble marquis opposite (Lansdowne) was Chancellor of the Exchequer; and he did not know that it was understood by any administration that there was a pledge for its ceasing entirely at the conclusion of the war. That no such pledge was intended when it was first introduced by Mr. Pitt, was clear to demonstration, for the tax was then partly pledged for loans, though that part had been afterwards redeemed by his noble friend (viscount Sidmouth). It was singular, too, that those on whom the tax bore least heavily—he meant the commercial classes—had been the loudest in their opposition to it. With respect to the present state of affairs, he did not think this the proper time for him to enter upon any discussion of that kind: but as to the observation of the noble marquis that the duke of Wellington had signed a declaration which appeared to have a tendency to encourage assassination, he was sure no one could imagine that the duke of Wellington would ever sign a declaration having such a tendency. Nothing could be more abhorrent to his nature. The Declaration in question had no such tendency or object, and certainly none such had ever entered into the contemplation of the duke of Wellington. As to the tax itself, he could only repeat what he had said on a former day, that it appeared to him the plan best calculated to raise so large a sum with the least possible inequality; and its great recommendation was, that it reached property of every kind. The tax was, besides, only continued for one year, which was an answer to many of the objections which had been urged against it.

The Marquis of *Lansdowne* stated, that it had certainly been understood by him and those with whom he acted at the period to which the noble earl alluded, that the tax was to be re-considered at the close of the war; and he now stated it as his opinion, that this tax was one calculated for an exigency, and ought to be re-considered on every occasion when that exigency terminated. At the close of a war, it might, perhaps, be advisable, under particular circumstances, to continue it to a certain extent and under various modifications; but it was clearly right and proper, that at the close of a war, it should be re-considered for the purpose of reducing its amount, and altering as far as that might be expedient the mode of its operation. But, admitting that the sum must be raised, he could not conceive any plan by which it could be so raised in a more fair and equal way than the present. Inequality, in some respects, there must be in every method of taxation; but it was desirable, that every tax should be as equal as it could possibly be made, having a due regard to the produce; for even additional equality might be too dearly purchased by the sacrifice of too great a proportion of the produce.

The Earl of *Liverpool* fully concurred with the noble marquis, that at the close of a war the tax ought to be re-considered before it was continued in any extent, and declared that he had never intended to say any thing that could bear a contrary interpretation.

The Duke of *Norfolk* said, that one great recommendation of the tax was, that it could not be evaded. When a tax was imposed on servants, persons might lawfully evade it to a certain degree by keeping but few servants: but this reached the property of those who, instead of living in a style of magnificence suited to their fortunes, and spending their money liberally and virtuously as he contended, were hoarding it up for the purpose of entails for three or four generations. A part of these hoards would, by this tax, be got for the service of the State.

Earl *Stanhope* proposed, as an amendment, that schedule B, being that which related to the occupiers of land, or the tenants, and schedule D, which related to manufactures and trade, should be left out. This he did, not on account of the tenants and manufacturers, but on account of the consumers, who really paid the tax. This tax, as far as concerned the classes in the other three schedules, land-owners like himself, stock-holders, and placemen and pensioners, he thought a very proper tax, and far preferable to the assessed taxes which had been in contemplation to substitute in lieu of it.

The amendment was negatived, and the Bill read a third time, and passed.

HOUSE OF COMMONS.

Thursday, May 11.

Exchequer Bills.] The report of the Committee of Ways and Means being brought up, the first Resolution was agreed to.

The *Chancellor of the Exchequer* said, that as to the second Resolution, which respected Exchequer bills, he should move that it be re-committed, in order to make an alteration in the form of it, as it appeared that the old subscribers, who were allowed to subscribe to the amount of 80 per cent. on their former subscriptions, had not come forward with subscriptions enough to fill up the whole sum which it was intended to raise.

Mr. *Tierney* said, that in consequence of the change in the mind of the Chancellor of the Exchequer, in the short space of two hours on Monday morning, several persons had been losers to a considerable extent. The right hon. gentleman had at first sent a letter to the city, in which it was said that Exchequer bills only would be received in the new subscriptions; in consequence of which Exchequer bills rose 7 and 8, and even 10 shillings. Shortly, after, however, a new letter was sent, in which it was said that Exchequer bills were not at all necessary. The consequence was, that Exchequer bills fell as much as they had before risen, and the purchasers had thus incurred a heavy loss.

The *Chancellor of the Exchequer* said, that he had been induced to make the change in consequence of a representation that the subscription would not be filled up under the former plan. The purchasers of Exchequer bills would not be losers, as the original subscribers would still be at liberty, as before, to set down their names to the amount of 80 per cent. on their former subscriptions.

The Resolution was ordered to be recommitted to-morrow week.

Roman Catholic Petition.] Sir *Henry Parnell* said:—Sir; I hold in my hand a Petition from the Roman Catholics of Ireland. The gentlemen who intrusted it to my care have informed me, that the Roman Catholics are particularly anxious that the merits of their claims should be taken into consideration during the present session. I think it proper, therefore, to give notice, that I shall move, on this day fortnight, that the House do form itself into a committee, to take into consideration the laws affecting the Roman Catholics. Prior to that period, if the courtesy of the House will allow me, I shall submit certain Resolutions, containing the full extent of the claims of the Catholic body. I do not mean to introduce them for the purpose of provoking a premature discussion; but from a desire to put the House in possession of every thing relating to those claims. I shall afterwards move the Resolutions in the committee, if it be conceded. At present I shall merely move, "That the Petition be now read."

Mr. *Tierney*.—If I understand the hon. baronet, he has mentioned, that claims of a definitive nature will be submitted to the House, in formal resolutions, if the committee be granted. Now, I wish to know, whether those resolutions speak the sense of the whole Catholic body, or only of a part of it? And if the latter be the case, of what portion does it speak the sentiments?

Sir *Henry Parnell*.—I can answer the questions of the right hon. gentleman, I think satisfactorily. This is the petition of certain Roman Catholics of Ireland, whose signatures are affixed thereto, on behalf of themselves and the Catholic body of Ireland. It comes exactly from the same description of persons with whom the other petitions, on the same subject, which have been discussed by the House, originated; and, as far as that opinion can be expressed, under the existing restraint which the law puts on them, and which prevents them from sending delegates to meetings, it does express the sense of the Roman Catholics of Ireland. With respect to the extent of unanimity which the sentiments contained in the resolutions meet with, I can state, from communications I have had on the subject, that they speak the correct and unequivocal opinion of the mass of the Roman Catholics of Ireland. With regard to the claims of the Catholics, and the propriety of laying those claims before the House, in the shape of Resolutions, before the main discussion came on, the reason is this—it appears to be very desirable, that, in entering on a new discussion of the Petition of the Catholic body, the House should be put in possession—and, as far as is practicable, they ought to be put in exact possession—of all that the Roman Catholics require from the House. I have it in my power to state decidedly to the House, that I shall submit to them resolutions, that express correctly the opinion of the Catholic body, with respect to the extent of their claims; so that if the House accede to what is contained in those Resolutions, they will give perfect satisfaction to that great body of their fellow-subjects.

The Petition was then brought up and read; setting forth, "That the petitioners are excluded from the enjoyment of the free constitution of these realms, and are subjected to the endurance of such exclusion not on account of any imputed deficiency of disposition or of ability in the service of the Crown or support of the State, but solely on account of their conscientious adherence to that religion which was professed by those princes and patriots of Great Britain who originated and matured her justly-boasted constitution; and that the petitioners again implore the House to grant to them the redress of the oppressive grievances of which they so justly complain, and to restore them to the full and unrestricted enjoyment of the rank of free subjects of the empire." On the motion, that the Petition do lie on the table,

Sir *J. C. Hippisley* observed, that he should be very ready to enter into an adequate investigation of the claims of so considerable a body as the Catholics of Ireland, as far as could tend to the fulfilment of the resolution of the House in a former session, that of a conciliatory adjustment which might be conducive to the strength and peace of the kingdom, to the stability of the Protestant establishment, and to the general satisfaction and concord of all classes of his Majesty's subjects; but he thought it incumbent upon him, at the same time, thus early to declare, that he should oppose the claims, such as announced in the petition, of unqualified concession.

The petition was ordered to lie on the table.

Mr. *Bankes* gave notice that he should to-morrow move that the House be called over on this day fortnight, as every one must be of opinion that on such an important question as would then come on, a full attendance was requisite.

Sir *H. Parnell* gave notice, that he should on this day week move the resolutions *pro forma,* and that on this day fortnight he should move that the House should resolve itself into a committee on the laws affecting his Majesty's Roman Catholic subjects.

Mr. *Bankes* said he did not hold himself bound to give his assent to the previous stage which had been given notice of by the hon. baronet, as the case was not one in which the House was ignorant of what it was required (as the hon. baronet had termed it) they should do. He felt it his duty to resist, on every opportunity, the claims of the petitioners, if they insisted on them in their full extent.

FREEMEN'S ELECTION RIGHTS BILL.] Mr. *Lockhart,* according to notice, moved for leave to bring in a Bill to regulate the right of freemen and burgesses to vote at elections of members to serve in parliament. He observed that the object of the measure which he had to propose was to oblige freemen to take out their freedom a certain short time before they could vote. Such a measure was called for by the great number of persons who took an opportunity to become freemen of boroughs immediately before a contested election, whereby the expense of those contests was increased to an extravagant amount. Whether the period was three months, one month, or even a fortnight, it would answer the purpose which he had in view.

Mr. *Tierney* said the proposed measure being one which would deprive persons who had a perfect right from exercising it during a certain time, was such a partial disfranchisement that could not be justifiable unless a strong case were made out.

Mr. *Rose* said a few words in favour of the measure.

Mr. *Wetherell* thought the Bill could not be rendered justifiable by any particular case of inconvenience.

Sir *M. W. Ridley* disapproved of the measure.

Mr. *Calcraft* said, that the Bill would disfranchise many of his constituents, and other voters, who were sea-faring men, and therefore had often no opportunity to take out their freedom before the time of election, although on that account there could be no reasonable objection to their votes.

Mr. *Wynn* gave no opinion on the measure before the House, but thought that the great source of the expense and criminality at contested elections, arose from the non-resident voters, with respect to whom some measure should be adopted.

Sir *J. Newport* thought some measure was necessary to put it out of the power of the mayor to act partially with respect to the admission of freemen. It was now in the power of the mayor in many places to refuse to admit a freeman at a particular time, by declining to call a court for his admission.

Leave was given, and the Bill being brought in was read a first time.

IRISH MALT DUTIES BILL.] The House having resolved itself into a committee on the Irish Malt Duties Bill,

Sir *John Newport* said, it had long been the anxious wish of the House to discourage the consumption of spirits in Ireland, and to introduce malt liquor, as a more wholesome beverage. This feeling was founded in a laudable desire to promote habits of morality and industry amongst the lower classes in that country. Now, he feared, that the increased malt duty, under this Bill, would have the effect of bringing the Irish population back to the use of spirits. The right hon. gentleman, he was aware, had laid an additional tax on the distilleries, proportioned to the augmentation of the duty on the brewery; but this was likely materially to encourage the practice of illicit distillation.

Mr. *Vesey Fitzgerald* said, the difficulties of the sister country were such, that it was impossible to adopt any measure that would be entirely effectual, or to which some objection could not be offered. He entirely concurred with the right hon. baronet in the desirableness of introducing malt liquor, instead of spirits. But, from the manners and habits of a great part of the population of that country—habits growing out of their peculiar occupation, vast numbers of them being employed in agriculture, and necessarily scattered over a large extent of country—it was impossible always to supply them with malt liquor. To counteract the effect of the additional duty on malt, an increased tax had been laid on the distillery. This the right hon. baronet seemed to think would induce an extension of illicit distillation. The laws, however, to prevent that evil were put in force with the most unrelaxed activity. And when it was found that government were determined to follow up those measures, which, however severe in the beginning, were, in the end, the most merciful, he hoped the good sense and honest feeling of the country, would operate to remove the evil of illicit distillation.

Mr. *W. Smith* denied the justice of the right hon. gentleman's observation, when he said, that it was impossible, because the population of Ireland was much scattered, to introduce malt liquor amongst them. The very contrary of his inference was the fact. Where great numbers of persons met together, in cities, far more spirits were consumed, than the same number would make use of, if they were scattered through the country. One hundred thousand people spread over the country, and engaged in agricultural pursuits, would not consume one-tenth part of the spirits, in a given time, that would be drunk by the like number of persons in London or Manchester.

Sir *J. Newport* pointed out the necessity of establishing large breweries in those districts where illicit distillation was known to be most prevalent.

Mr. *W. Smith* observed, that the general consumption of malt liquor in this country did not originate in the formation of large breweries, but was effected by the small farmers, who brewed their own beer.

Mr. *V. Fitzgerald* said, the small farmers in Ireland had it not in their power to brew their own beer; they were really incapable. He was friendly to the establishment of breweries in that country, which was proved by his having preferred a tax on malt, to a direct beer duty, which would be more likely to prevent the growth of breweries. Whatever measure Parliament thought fit to adopt, to give encouragement to the establishment of breweries, should receive his support.

The House then resumed, and the Report was ordered to be received tomorrow.

LIBERTY OF THE SUBJECT.] Mr. Serjeant Onslow moved, "That a committee be appointed to inspect the Journals of the House of Lords, with relation to any proceeding upon the Bill, intituled, 'An 'Act for more effectually securing the 'liberty of the subject;' and to make report thereof to the House:"—and a committee was appointed accordingly.

HOUSE OF COMMONS.

Friday, May 12.

CALL OF THE HOUSE.] Mr. *Bankes* rose, in pursuance of notice, to propose his motion for a call of the House. He had reason to hope, however, from his communication with the hon. baronet (sir H. Parnell), that he would postpone the important question, of which he had given notice, to Tuesday the 30th; and he should therefore move the call of the House for that day, by which time the members would be enabled to attend from all parts of the kingdom. He begged to observe, that at that time he should, as far as lay in his power, enforce the call.

Sir *H. Parnell*, lest he should appear to precipitate the question before a sufficient attendance could be obtained, consented to postpone his motion on the Catholic Claims to Tuesday the 30th; wishing to be understood, that as the session would then be pretty far advanced, he should absolutely bring forward the question on that day.

The House was accordingly ordered to be called over on Tuesday the 30th instant.

Adjourned to Thursday the 18th instant.

HOUSE OF LORDS.

Thursday, May 18.

TREATIES WITH THE ALLIES.] The House being met, pursuant to adjournment,

Earl *Grey* wished to know whether it was in the contemplation of his Majesty's Government to make any communication to the House on the subject of the Treaty of the 25th of March, signed at Vienna, and the other Treaties, which, though in substance, were not formally before the House.

The Earl of *Liverpool* said, that he believed he should on Monday be able to communicate those Treaties to the House, together with a Message on the same subject from the Prince Regent, and he should then move that the Message be taken into consideration on Tuesday.

Earl *Grey* observed, that such a motion would be but a short notice on such an important question. He knew it was the custom of the House, when a message was delivered from the Crown, to come to the consideration of it with as little intervening delay as possible; but when that message referred to documents on which deliberation was necessary, before the House could reply to the message, some further time should be allowed. The Treaties, he supposed, would be communicated in form, which had already been laid in substance before the House. He wished to have explanation as to two points: The first question to which he wished to receive an answer, was, whether there was any substantial alteration in the Treaties which were before the House, or whether they had been ratified exactly in the state in which they had been laid before the House? He wished also to know, not only whether any alteration had been made in the Treaties, but whether the Allies had subjoined to their ratifications, any declaration or counter-declaration (on the subject of the explanatory declaration which had been affixed to the ratification of one of the Treaties, by this Government,) which might afford some new view of the Treaty? If any alteration or any such declaration had been made, it would be most material that further time should be afforded for consideration. There was another question, which the noble earl opposite could now answer, and which had some time since been put by a noble friend of his—as to the overture supposed to have been made by the present Government of France, to this country? The noble earl had on that occasion answered, that some communication had been made, but that it had been sent to the Allies at Vienna; and that before an answer was received from thence, no message would be brought down to the House. Now, before a question was decided which was to determine on the alternative of peace or war, it was necessary that the House should have before it all proceedings, in the way of negociation, or all attempts at negociation, on either side, which had failed. This point it was hardly necessary to enforce; for when they were to decide on the propriety of war, it was obvious that the House should be in possession of all the circumstances by which it might by possibility be averted. If, therefore, there was no objection to the production of this information, the communication on Monday, with a notice for Tuesday, would hardly afford time enough for deliberation. As he had no wish to postpone the consideration of the question, except from a desire to be in possession of all the circumstances on so important a question, he should have no objection if the communication could be made to-morrow, with the documents to which he had alluded, to come to the discussion on Tuesday, or even on Monday; but if that information could not be laid before them till Monday, he thought some further delay would be convenient.

The Earl of *Liverpool* observed, that the usual method was to take into consideration a Message from the Crown on the first day of business after it was brought down. He believed, he should be able to show, that no ground existed for a departure from the usual practice in the present instance. The ratifications of two of the Treaties had been received, duly executed; and of the third the ratification was not yet received, though notice was received that it had been ratified. The ratified Treaties were precisely the same as those which had already been laid, in substance, before the House. The declaration also which had been affixed by this Government to one of the Treaties, had met with the approbation of all the Allies. As to the communication from the Government of France, he had mentioned before, that an overture had been made, and that it was referred to the Allies at Vienna; and he had now to state, that no negociation would be entered into on that overture. Such being the state of the case as to facts, he thought no delay was necessary.

The Marquis of *Lansdowne* observed, that the nature of the overture from France was not known to the House; but it was material that it should be produced, before their lordships decided that the Government had acted properly in rejecting it.

The Earl of *Liverpool* said he had no objection to the production of it.

The Marquis of *Buckingham* said, it was necessary to know, not only whether the Allies had agreed to our Declaration, but whether they had subjoined any proviso to their own ratification.

The Earl of *Liverpool* said, that the Allies had subjoined no proviso.

Earl *Grey* expressed a hope, that as there was no objection to the production of the communication from the French Government, it would be laid before the House.

The Earl of *Liverpool* said, that overture might be contained in a sheet of paper, and might be laid before the House either to-morrow or Monday.

Earl *Grey* said, the Treaties then, as ratified, are precisely the same as those which are in substance before the House?

The Earl of *Liverpool*. Exactly the same.

Earl *Stanhope* said, that a very material piece of information had not been mentioned by the noble earl, but which it was necessary their lordships should have before them—the state of the finances of our Allies. Those finances were in a most miserable state, so that in the end he feared we should be obliged to pay all.

The Earl of *Liverpool* said, that lest he should have misled the House by what he had said, he should observe that subsidiary Treaties had been concluded, which would be laid before the House at the same time with the others.

Earl *Stanhope*. The noble earl has given no answer to my question, but has shirked it altogether.

HOUSE OF COMMONS.

Thursday, May 18.

FUNERAL CERTIFICATES BILL.] Sir *Egerton Brydges* moved for leave to bring in a Bill to revive the use of funeral certificates. He said that funeral certificates contained a record of the time and place of the deaths and burial of the nobility and gentry, and upper classes of society, which were certified by the executors or administrators and some near relation of the deceased, together with their marriages and issue, if any; and were filed and registered in the College of Arms. These had been in regular use from 1568 to 1680; indeed, one existed in the case of sir Thomas Brandon, K. G. as early as 1509. Of all the records which had ever been used as evidence in questions of inheritance as well to property as to titles of honour, these had been found the most beneficial, satisfactory, and perfect. The abolition of *inquisitiones post mortem*, which ceased with feudal tenures before the Restoration, had been severely felt in proving pedigrees; and the disuse of funeral certificates soon after, left the main proof of these pedigrees to depend on parish registers. Now, every one must be aware of the many defects attaching to this last species of evidence. The inconvenience of resort to them, from their dispersion all over the kingdom, was not small. But it was a still worse defect of these parish registers, that they were from their nature for the most part deficient in that which fixed the identity of persons; an inconvenience of the most serious sort. Under these circumstances he was induced to bring forward the present measure. He trusted that the provisions he was about to propose for effecting it, would be found simple and practicable. The machinery was easy; and nothing of an inquisitorial or objectionable nature was intended. He proposed the returns to be obtained through the surrogates or other ecclesiastical officers, employed to grant probates and letters of administration, at the time those instruments were applied for. Nothing would be required beyond that, which must necessarily in almost all cases come within the knowledge of the executor or administrator. But he would not fatigue the House with the detail of his intended provisions, which would best be seen in the words of the Bill itself, if leave was given to bring it in. He concluded with moving, "That leave be given to bring in a Bill to revive the use of funeral certificates, to record the time and place of the deaths and burials of testators and intestates."

Leave was accordingly given.

PROPERTY OF THE POOR EMBEZZLEMENT BILL.] Mr. *W. Smith* rose, pursuant to notice, to move for leave to bring in a Bill for the purpose of rendering general certain provisions which were at present to be found in several local acts, with a view to prevent the embezzlement or waste of any property provided for the poor. The first object of his Bill, the hon. member described to be, to subject to a certain penalty, any persons who should knowingly purchase any of the property alluded to; and the second to prevent trustees or overseers of the poor from selling any articles for the use of the poor, from which they could derive profit. The hon. member concluded with moving, "That leave be given to bring in a Bill to prevent the waste or embezzlement of certain property provided for the use of the poor, and for other purposes relating to places provided for their reception."—Leave was given.

PRINCE REGENT'S OUTFIT.] Lord *Althorpe* gave notice of his intention to submit a motion to the House on Tuesday next, with respect to the application of the sum of 100,000*l.* voted to the Prince Regent for the purpose of an outfit, on his Royal Highness's becoming unrestricted Regent.

Lord *Castlereagh* stated, that the application of the sum alluded to had been explained by a communication from authority to the House.

Mr. *Wynn* professed himself unable to imagine the nature of the authority referred to by the noble lord. Did the noble lord mean his own statement in the course of a late discussion?

Lord *Castlereagh* replied, that the communication to which he referred had been made to the committee appointed to investigate the expenditure of the Civil List, through which committee that communication would naturally come before the House.

Mr. *Tierney* asked when this communication was made to the committee, for he had not yet heard of it, although a member of that committee.

Lord *Castlereagh* said, that steps had been taken some days ago to present it, and he presumed that it had been made.

Lord *Althorpe* observed, that the motion of which he had given notice would not refer to the view which the noble lord appeared to have taken of the subject, but to what he (lord A.) considered the unconstitutional mode of applying the 100,000*l.* contrary to the spirit and letter of the act of parliament under which it was granted.

MOTION RESPECTING RIOTOUS ASSEMBLIES.] General *Thornton* rose, pursuant to notice, to move for leave to bring in a Bill to amend certain parts of the Act commonly called the Riot Act. By that Act, those persons who should not disperse within an hour after the reading of the Act, were to be subject even to the loss of their lives. His object was, not to require so long a period as an hour to elapse, but to provide that upon the reading of the Act, the mob should disperse immediately.

He therefore wished to propose, that those who did not immediately disperse, upon the reading of the Riot Act, should be subject to punishment by fine and imprisonment; and for the second offence he should propose transportation. He also should wish to propose, that not only constables, but that every person present might be empowered to arrest persons acting in breach of the law. At present, if serious injuries, such as pulling a house down, were incurred by the violence of the mob, indemnity could be obtained under the provisions of the Riot Act. He should propose, that for lesser injuries, such as the breaking of windows, compensation might also be obtained. There was another practice that he felt very anxious to suppress. He thought illuminations were almost always productive of riot and tumult. He, therefore, never wished to see an illumination, and thought that the practice should be stopped. He should, therefore, propose certain penalties on those who illuminated. The hon. general concluded with moving, "That leave be given to bring in a Bill for more effectually preventing tumults and riotous assemblies, and for the more speedy and effectual punishing the rioters."

The Speaker then, as no member rose to speak on it, proceeded to put the question. On his putting the question in the affirmative, we did not hear a single aye: but on his putting the negative, there was a loud cry of No.

Mr. *Yorke* rose at the same time, and said, that perhaps it would have been sufficient for him to join his 'no' to the general negative that the motion seemed likely to experience. He was sure that the principles which the hon. general had stated as the reasons for this Bill would not be supported by the House.

The question was again put, and the motion was negatived without a division.

Roman Catholic Question.] Sir *Henry Parnell* rose, pursuant to notice, to submit certain Resolutions to the House with respect to the claims of the Roman Catholics of Ireland. In these Resolutions it was his object to explain the course of proceeding which he proposed to pursue, with a view to satisfy the parties referred to, without meaning to lead the House into any premature discussion. The House, he observed, was now placed in different circumstances from those which existed upon any former discussion of this interesting question, in consequence of the Resolution adopted on the motion of the right hon. member for Liverpool (Mr. Canning). For by that Resolution it was decided, that it was expedient to repeal the penal laws affecting the Catholic body, and therefore the House was not again called upon to vote on the principle of the measure, but to consider the details necessary in order to give effect to that Resolution. He had been informed by the Speaker, that as this question related to religion, it must be considered in a committee of the whole House.

The *Speaker*.—Such is the standing order.

Then in this instance (resumed Sir H. Parnell) he meant only to bring forward these Resolutions in order to have them laid on the table, as containing the subject matter of what he proposed subsequently to submit to the consideration of the House. In framing these Resolutions, he had been aided by the suggestions of those gentlemen who had waited upon him with the Catholic petition in Dublin, and to whom he naturally said that it would be very desirable to know what were the views of the petitioners—what the exact nature of the claims to which they wished Parliament to accede.

Mr. *Yorke* rose to order, and asked whether the hon. baronet meant to conclude with any motion, because his observations would otherwise be irregular.

Sir *Henry Parnell* replied, that it was not his intention to have concluded with any motion; but in order to conform to order, he now meant to move his first Resolution, after stating the nature of the several Resolutions which he held in his hand, and which contained a precise description of what the Catholics of Ireland required Parliament to do in their behalf. These Resolutions, which he meant on a future day to submit to the consideration of a committee of the whole House, he proposed to have printed; and in making this proposition, he was governed by the precedent established by the House in the case of the right honourable member for Liverpool, whose clauses for the security of the Protestant Establishment, as those clauses were denominated, were ordered to be printed. The hon. baronet then read the following Resolutions:—

1st. "That it is expedient the Roman Catholic inhabitants of these realms shall not be liable or subject to any laws for the limitation, charging, or discovering of their estates, real or personal, or touching the acquiring, enjoying, holding, or disposing of property of any kind or nature, save such as the Protestant inhabitants of these realms are liable and subject to.

2d. "That it shall not be necessary (in order to enable or to entitle any Roman Catholic inhabitant of these realms to vote at any election of a member or members to serve in Parliament, or any other election; or to vote at any election of a representative peer of Scotland; or to be enrolled as a freeholder in any shire or stewartry of Scotland; or to vote in any proceeding of the court of freeholders, or to be chosen præses or clerk of such court; or to be chosen a commissioner or delegate for choosing burgesses to serve in Parliament for any district of boroughs in Scotland; or to enable or entitle any peer of Ireland to vote at any election of a representative temporal peer; or to make or sign any return to the writ of election of a temporal peer, pursuant to an Act made for that purpose by the late parliament of Ireland, in the 40th year of the reign of his present Majesty), that any such inhabitant or peer should, at or previous to the time of his so voting or being so enrolled or chosen, or so making or signing a return to any writ of election, respectively as aforesaid, take or subscribe the oaths of allegiance, abjuration, and supremacy—or make or subscribe the declaration against transubstantiation, the sacrifice of the mass, and the invocation of saints.

3rd. "That whereas doubts have been entertained whether the provisions of an Act made by the late Parliament of Great Britain, in the 26th year of the reign of his late Majesty King George the second, intituled 'An Act for the better preventing of Clandestine Marriages,' extend or ought to extend to or affect marriages between Roman Catholics:

"It is expedient that the said Act, and the provisions therein contained, shall be deemed, taken and construed, not to extend or to affect any marriages of Roman Catholics (where both the parties shall be Roman Catholics); but that all such marriages of Roman Catholics, being duly solemnized according to the forms of the Roman Catholic religion, shall be excepted from the operation of the said Act, in like manner as marriages amongst persons professing the Jewish religion, and marriages amongst the people called Quakers, are by the said Act excepted from the operation thereof.

4th. "That it shall and may be lawful to and for any person or persons whomsoever, to give, grant, transfer, or convey to any person or persons (and for such person or persons to take, receive, and hold), any lands, tenements, hereditaments, goods, money, or other property, for the maintenance, support, or benefit of any Roman Catholic chapel, or house of worship, priest, or minister of worship, school, hospital, or other pious or charitable foundation or establishment, of such or the like nature, in the like manner, and to the same extent as his Majesty's Protestant Dissenting subjects are now enabled and authorized by law to make and execute gifts, grants, and conveyances, as aforesaid, for the maintenance, support, or benefit of any Protestant Dissenting chapel, or house of worship, minister of worship, school, hospital, or other pious or charitable foundation or establishment of such or the like nature.

5th. "That, if any person or persons shall maliciously disturb any congregation or meeting of persons assembled in any Roman Catholic chapel, or other place, for the purpose of religious worship, according to the forms of the Roman Catholic religion; or shall maliciously prevent, hinder, or disturb such religious worship; or shall assault or menace any Roman Catholic clergyman, in such chapel or place, whilst officiating, or about to officiate therein; it is expedient that every such person so offending shall forfeit and pay for every such offence, a sum of twenty pounds sterling, British currency.

6th. "That whereas by an Act made by the late Parliament of Ireland, in the sixth year of the reign of her late Majesty Queen Anne, and by another Act made by the said Parliament, in the 23d year of the reign of his late majesty King George the second, any Roman Catholic priest, solemnizing marriage between any two persons (being Protestants, or either of them being a Protestant,) is rendered subject to certain punishments mentioned in the said Acts respectively; it is expedient, that the said provisions of the said Acts be repealed so far as the same relate to such punishments as aforesaid; and that any Roman Catholic clergyman, who shall hereafter solemnize marriage between two Protestants, or between any Protestant or Roman Catholic (such Protestant and Roman Catholic not having been previously married by a Protestant clergyman, and the said Roman Catholic clergyman knowing such party to be a Protestant), shall forfeit a sum of 100*l.* to his Majesty for the same, on conviction thereof.

7th. "That if any officer, or person holding any military or naval office, or situation, under his Majesty, his heirs, or successors, shall by punishment, force, menaces, or otherwise, compel, or endeavour to compel any Roman Catholic soldier, sailor or marine, to assist or be present at the celebration of divine worship, according to any other form than the form of the Roman Catholic religion, it is expedient such officer or person, so offending, shall forfeit and pay for every such offence a sum of one hundred pounds sterling of British currency.

8th. "That it shall and may be lawful to and for the Roman Catholic inhabitants of these realms, to sit and vote in either House of Parliament; and to hold, exercise, and enjoy all civil, judicial, and military and naval offices, and places of trust or profit, under his Majesty, his heirs, and successors, within these realms, and the dominions, dependencies, and colonies thereunto belonging, and to take and receive any degrees of medicine, law, or arts, in any of the universities of Great Britain or Ireland, and to be students, exhibitioners, scholars, professors, and lay-fellows for any of the said universities or colleges belonging thereto; and to hold, exercise, and enjoy the offices of mayor, sovereign, bailiff, alderman, treasurer, sheriff, town-clerk, councilman, master or warden, of any guild or fraternity; and all such offices (by whatever name the same may be called), in any city or town within these realms; and also the offices of governors, deputy governors, and directors of the banks of England and Ireland respectively, and all other offices therein; and also to be members of any other lay body corporate, and to enjoy the freedom, franchises, and immunities thereof; and to hold, exercise, and enjoy any office or place of trust therein, any statute, charter, bye-law, or usage to the contrary thereof in any wise notwithstanding, upon taking and subscribing the oath and declaration following: (instead of the oaths of allegiance, abjuration, and supremacy, and instead of making and subscribing the declaration against transubstantiation, the sacrifice of the mass, and the invocation of saints, now by law required, and instead of taking the sacrament, according to the forms of the Protestant religion); that is to say, upon taking and subscribing the following Oath and Declaration:

"I, *A. B.* do hereby declare that I profess the Roman Catholic religion.

"I, *A. B*, do sincerely promise and swear, that I will be faithful and bear true allegiance to his Majesty King George 3, and him will defend to the utmost of my power, against all conspiracies and attempts whatever that shall be made against his person, crown or dignity: and I will do my utmost to disclose and make known to his Majesty, his heirs and successors, all treasons and traitorous conspiracies which may be formed against him or them.

"And I do promise to maintain, defend, and support, to the utmost of my power, the succession to the crown (which succession by law now stands limited to the princess Sophia, electress and duchess dowager of Hanover, deceased, and the heirs of her body, being Protestants).

"Hereby utterly renouncing and abjuring any obedience or allegiance unto any other person, claiming, or pretending a right to the crown of these realms.

"And I do not believe, that any foreign prince, prelate, state, or potentate, hath or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, within these realms.

"And I do declare, that I swear this oath, and every part thereof, in the plain and ordinary sense of the words of this oath. So help me God."

The hon. baronet then proceeded to observe, that the House was now in possession of a statement of all that was required to be granted; and he trusted that when these Resolutions should be examined, they would be found to contain nothing more than what was fair and equitable in regard to the Catholic subjects of the realm. He should therefore move "That these Resolutions be brought up."

The *Speaker* apprehended that the hon. member had not distinctly made himself understood as to what was the nature and object of his motion.

Sir *H. Parnell* said, he wished to move that these Resolutions be brought up.

The *Speaker* replied, that the hon. member had described a certain paper which he held in his hand to be a series of Resolutions come to by the Catholics of Ireland, and he understood him to intend to move that the paper so described be brought up.

Sir *H. Parnell* rejoined, that he should move the first Resolution, finding that to be a more proper course, than taking them generally.

The *Speaker*. The hon. member now makes another motion. Which, therefore, is the motion that he intends to propose? I understood him to intend to move two different things; first, that the Resolutions should be brought up; and afterwards, that the House should agree to the first Resolution.

Sir *H. Parnell* answered, that understanding the House would not agree to his first motion, he had changed it.

The *Speaker*. Then the hon. member offers to the House the first of these Resolutions for their assent. The question then is: "That it is expedient that the Roman Catholic inhabitants of these realms shall not be liable or subject to any laws for the limitation, charging, or discovering of their estates, real or personal, or touching the acquiring, enjoying, holding, or disposing of property of any kind or nature, save such as the Protestant inhabitants of these realms are liable and subject to."

Mr. *Peter Moore* seconded the motion.

Mr. *Bankes*, observing that he should abstain at present from entering at large into the merits of the Catholic question, suggested for the consideration of the hon. baronet, that he was proceeding disadvantageously for his own object; because he himself, for instance, if called upon to vote upon this Resolution, as it appeared to be one of a string of resolutions, should feel it his duty to vote against it; and thus if the motion were rejected, the hon. baronet was liable to be deprived of the head and front of the object which he desired to attain. The clauses alluded to by the hon. baronet were, he was aware, ordered to be printed; but that order was made through a sort of private consent and convention between gentlemen on both sides of the question, to which convention he and others felt it inconsistent to accede with respect to the present resolutions, and of that the hon. baronet had had due notice. On these grounds he thought it would be more advisable on the part of the hon. baronet not to persevere in his motion, which was the less necessary now that the hon. baronet had had an opportunity of fully apprising the House of the nature of his propositions.

Mr. *Yorke* seconded the views of the last speaker, declaring that he would be better pleased if the hon. baronet would consent to withdraw his motion. But he must add, that the hon. baronet's mode of proceeding appeared to him to be altogether novel and irregular—quite in opposition indeed to the standing order of the House, with regard to any question upon the subject of religion. If it were, as it appeared, the only object of the hon. baronet to get his Resolutions published, there were various means by which he might have contrived to give them publicity, without this mode of taking the House by surprise. As the notice of a motion upon this subject stood for Tuesday se'nnight, he should not at present enter into the general question; against the object of which, however, he felt no hesitation in protesting at the present time. The right hon. gentleman concluded with observing, that he could not help expressing his regret that this subject had been taken out of the hands by which it was usually conducted, because, if it had remained in those hands, it was not likely that the House would have been exposed to such inconvenience and irregularity as the present mode of proceeding involved.

Mr. *Peter Moore* declared that his support to the motion arose from the fact, that certain Resolutions, explanatory of the redress which the petitioners sought, were identified with it. This would enable them the better to judge, how far they would go, and where they would stop. He could see no irregularity in receiving resolutions of this kind, and having them printed *pro forma*: nor could he see how such a procedure could anticipate the general discussion.

Sir *H. Parnell* willingly acquiesced in the suggestion of the hon. member (Mr. Bankes), and withdrew his motion, as the only object he had in view was accomplished, namely, that of explaining to the House the objects necessary to satisfy the wishes of the Catholics of Ireland.

Mr. *Peel* observed that the precedent alluded to had no analogy to the case of the hon. baronet, for the hon. baronet, although deputed to act for a certain class of his Majesty's subjects, was but an individual member of that House, whereas the right hon. member for Liverpool was deputed to act by the House itself, being one of a committee appointed to draw up a Bill, of which, according to the resolutions of the House, some provision for the security of the Protestant establishment must necessarily form a part. Therefore that right hon. member was acting in an official capacity in bringing forward the clauses which the House agreed to have printed.

Sir *H. Parnell* conceived, that it was not necessary for him to prove an exact analogy in order to justify his reference to the precedent alluded to.

The motion was then withdrawn.

Militia Embodying Bill.] Lord *Castlereagh* rose, pursuant to notice, in order to move for leave to bring in a Bill to authorize the drawing out and embodying of the whole or any part of the regular Militia. On the assurances which the House had already given of a disposition to support the executive authority in making adequate preparations for the security of the country in the present emergency, he grounded this proposition; and in the course of the discussion of the Bill further opportunity would be afforded for the consideration of the nature of that emergency, together with the general circumstances in which the empire was placed. At present he did not think it necessary to enter into these circumstances; and the more so, as he hoped to be enabled on Monday to bring down a Message from the Prince Regent, with regard to the arrangements which had been entered into with our Allies, together with copies of the subsidiary treaties which had been concluded. That Message he should propose to be considered on Tuesday, and on Wednesday it was intended to submit a motion in conformity with the subsidiary treaties. He was therefore confident, that under the existing state of things, the House would not hesitate in enabling him to bring in the Bill. As such a measure always had effect when the country was menaced, the very circumstance of the probability of a war with France was sufficient to authorize it; at any rate, it required no stretch of construction to sanction the Bill, for the very nature of the preparations which it was the duty of the country to make, and the necessity of sending so great a proportion of our regular force to the Continent, rendered it fit that the internal security of the country should be provided for. There were various reasons of policy also, which must induce the House to lose no time in passing the Bill, as there was a great portion of the militia whose term of enlistment would soon expire. He wished to apprise the House, that a regulation had been made by Government, which had given entire satisfaction to the men, by providing for their discharge within four months from the 1st of May. It was not intended, by this measure, to violate the good faith of the Government towards the men in the smallest degree. There were, however, certainly very considerable motives for avoiding delay. He was not aware that it was necessary to go into any farther particulars at present, as the state of warlike preparation in which we are placed had been recognized by Parliament; but it would be admitted that it would not be proper for the House to separate for the summer, without providing a measure to preserve the internal security of the country. The noble lord then moved, "That leave be given to bring in a Bill to authorize, under present circumstances, the drawing out and embodying of the British and Irish Militia, or any part thereof."

Lord *Milton* thought, that by the present regulations, if the five years for which the militia-men were enlisted had expired during the war, they would not be entitled to their discharge.

Lord *Castlereagh* replied, that the contract was different with the balloted men, and many that had been raised as substitutes.

Viscount *Folkestone* could not omit the opportunity of just noticing to the House how completely the opinions of the crown lawyers respecting the embodying of the militia were overthrown by the motion of the noble lord. The Attorney and Solicitor General had stated, that the militia being once called out, it was optional in the Crown to keep them embodied; and they had expressly argued, that any portion of the militia being embodied, the Crown might call out the whole of them again, without giving notice to Parliament. According to this doctrine, therefore, the bill which the noble lord proposed to bring in was totally unnecessary; but he believed, that the noble lord attached very little weight to those opinions, or he would not have consented to bring in the Bill. He condemned the apparent intention, as he understood the speech of the noble lord, of continuing those practices with respect to the militia, which tended directly to overthrow that wise and ancient system upon which it had hitherto been conducted; he alluded to the innovation of allowing militia-men to be drafted into the regulars, upon every temporary difficulty in which the country might happen to be placed.

Lord *Castlereagh* said, that the reason why the Bill was necessary was, because a great part of the militia had been disembodied. And whatever opinion might be entertained of the prerogative possessed by the Crown to continue the militia, when once called out, it was never understood that the Crown had the power, in case of war, to call out the disembodied militia by its own authority.

Viscount *Folkestone* replied, that the 144th clause of the Act had been cited as authorizing the Crown to call out the militia, and keep it embodied.

The *Attorney General* would leave the noble lord to enjoy his imaginary triumph, and would only say, that the motion made by the noble Secretary of State, to call out the whole or any part of the militia in the present circumstances of the country, by no means implied that the opinion of the law officers was unsound—the opinion given was, that when the militia were legally called out, his Majesty might disembody or embody them as the public service required. A new state of things like the present might, however, justify a different course.

Mr. *Tierney* begged to ask the noble lord, whether any, and what answer had been returned to the communication which the French Government had made to this country, and which was afterwards transmitted to the Congress at Vienna? Did the noble lord intend to give any information to the House on that subject on Monday next?

Lord *Castlereagh* replied, that the communication which he intended to make on Monday would embrace the point to which the right hon. gentleman had alluded.

Dublin Harbour.] The House having resolved itself into a committee, to consider of making provision for the improvement of Dublin Harbour,

Mr. *Vesey Fitzgerald* said, that the necessity of improving the harbour of Dublin was so strongly felt by the merchants and ship-owners of that city, that they most cheerfully concurred in the proposition which he was about to make for levying certain duties upon vessels entering that port; and their sentiments would now have been before the House in the shape of a petition, if unfortunately the time had not elapsed when it could be presented. He would not take up the time of the House in enforcing the necessity of making the proposed improvement in that harbour, because it must be obvious to the gentlemen opposite to him, and, indeed, to every person acquainted with that port. In order to defray the expense of this work, he should propose a duty of *6d.* a ton upon every foreign vessel, *4d.* a ton upon every British vessel, and *2d.* a ton upon all coasting and coal vessels entering that port. And as the proposed alteration would contribute greatly to the safety and accommodation of persons arriving there in the packets, he should propose, that each cabin passenger should pay *2s. 6d.*, and that the same sum should be paid for each horse and carriage brought by the packet. In addition to these, he should propose a duty upon invoices, outvoices, cockets, &c. making altogether about 15,000*l.* a year. The sum necessary for the completion of this work was to be advanced by the Exchequer; and the sum to be raised by these duties, was to be applied to the payment of the interest and principal of the sum so advanced. The right hon. gentleman concluded with moving the Resolutions.

Mr. *Shaw*, of Dublin, expressed his decided approbation of the measure.

Sir *H. Parnell* also spoke in favour of it.

Alderman *Atkins* said, he was very much averse to any tax upon shipping. He thought it would be better, if the whole expense was paid out of the public purse. He added, that if these duties were imposed, the ship-owners would be obliged to raise the price of their freight.

Mr. *Wellesley Pole* expressed his surprise at the objection of the hon. alderman. Every seaman knew how dangerous the bay of Dublin was; and he was convinced that there was not a ship-owner, whose vessels entered the bay of Dublin, who would not cheerfully pay the duty to have the harbour improved.

Mr. *Peele* said, the worthy alderman's argument answered itself; he first objected to any tax upon shipping; and in the same breath said, that the ship-owners would not pay it themselves, but lay it upon the freight, so that, in fact, the citizens of Dublin would really bear the expense. He then stated the great number of vessels lost in the bay of Dublin, and particularly two transports in 1807, when between 7 and 800 soldiers were lost to the country.

General *Gascoyne* did not object generally to the measure; but as it must affect the interests of his constituents, he hoped the right hon. gentleman would not press it, but give time to the merchants of Liverpool to consider of the proposed duties, and to state their sentiments upon the subject.

The Resolution was agreed to, and the report was ordered to be received tomorrow.

HOUSE OF LORDS.

Friday, May 19.

Treaties with the Allies—Overture from France.] Earl *Grey* said, that as no objection had been made to the production of the overture which had been made by the present Government of France to this country, he wished to know whether it would be laid before the House, and on what day?

The Earl of *Liverpool* said, it would be laid before the House on Monday. He should at the same time observe, that he believed it was nearly word for word the same as that which had been printed in the French papers as a circular overture to the different Powers of Europe.

Earl *Grey* said, that he remembered having seen such a document in the public papers, though he did not exactly recollect its substance, but it was certainly necessary that the House should have it in an authentic shape before it; and also that more time should be afforded the House for the consideration of it than was now proposed to be given. Neither would any time be sufficient to enable them to decide on the question which was to be submitted to them, in the present very defective state of their information. Not only was this country engaged to the several Treaties of which, in substance, they were in possession, but in the Treaty of the 25th of March, there was an article by which the Allies agreed to maintain the arrangements which should have been signed and contracted at the Congress of Vienna: now, before the House decided that it was expedient to support those engagements by a war, and by subsidies to our Allies, it was surely necessary that their lordships should be informed of the nature of them. Of those engagements, however, they were at that time entirely ignorant, excepting only those which had been made as to Genoa. But as to the partition of Saxony, which, if it possibly could be made more important, was rendered more important by the circumstances of the present time, no information whatever was before the House, nor as to any of the other arrangements which had been made at the Congress, although the House was to be called on to say that it was just and expedient that the country should undertake a war, one of the foundations of which was to be the maintenance of those arrangements. There was another article in the Treaty of the 25th of March, which stipulated, that it should be proposed to the King of France, now at Ghent, to accede to that Treaty, and to state what degree of assistance he should be able to render to the common cause of the alliance. Now, it was proper that the House should be in possession, not only of the invitation which had been made to Louis 18, but also of his answer, and the extent of means which he possessed of cooperating with the Allies. The propriety of our entering into an alliance with Louis 18, it was not then the time to discuss; but that the House should be in possession of the state of our engagements with that monarch there could be no doubt. There was another point, on which, though not connected with the Treaties, he wished to receive some explanation. A declaration had been published, purporting to be the proclamation of the duke of Wellington, which he had no doubt would be found to be a forgery emanating from some person or other, as it was totally inconsistent with the declaration attached to the Treaty of the 25th of March. He however wished that the noble earl opposite would state that it was a forgery, and also whether he was possessed of any information as to the person from whom that forgery issued.

The Earl of *Liverpool* had not the least hesitation in assuring the noble earl, that he had never seen nor heard of that proclamation before he had observed it in an evening paper, in which it was copied from a French paper of the 13th. He could also say, that it was highly improbable that any proclamation should have been issued by the duke of Wellington in the present state of things. As to the source from which that proclamation could have originated, it was of course impossible that he could speak, as he knew of the existence of it, as he had before said, only from the public prints. As to the other points which had been mentioned by the noble earl, he did not wish then to enter into any discussion of them, but he could state that the communication from the Government of France having been referred to the Allies at Vienna, it was decided that no negociation should be entered into upon it. Such was the fact, and he did not conceive that any further information could be given. On the other point mentioned by the noble earl, viz. the accession of the King of France to the Treaty of Alliance, the accession of the King of France had certainly not been received in this country, though the Treaty had been submitted to him; and as to the means of the King of France it would not be in his power to submit any information to the House; but certainly it was not on the existence or extent of those means that he should ground the proposition which he had on Tuesday to submit. He therefore thought there was no reason for further delay; whether there had already been too long a delay, was another question. As to the proceedings at the Congress, the noble earl observed, that until they were reduced to the form of a Treaty, he should not be enabled to lay any message on the subject before the House.

Earl *Grey* remarked, what an extraordinary state the House was placed in. The Treaty of the 25th of March agreed to maintain the arrangements concluded and signed at the Congress of Vienna, and the House was to be called on to support that Treaty, without being in possession of the arrangements on which it was founded—not only to support it, but to give large sums to our Allies, raised from the people of this country. He would, therefore, intreat the House to consider whether the House could enter into the discussion without that information. There was also one of the Treaties which had not been ratified. He wished to know what power it was whose ratification had not been received?

The Earl of *Liverpool* answered, Austria; but certain intelligence had been received, that the Treaty had been ratified by that power. The noble Earl then stated, that he should not submit any proposition to the House to approve of any part of the arrangements at Congress, which were not laid before them.

The Earl of *Darnley* observed, that the declaration of Louis 18, respecting which he had put a question when it first made its appearance, was in effect the same as that which had been said to have been issued by the duke of Wellington, for that Monarch stated that his Allies would acknowledge him alone as the Sovereign of France. He wished to know, therefore, whether that proclamation of Louis 18 was authentic, and whether there was any objection to lay it before the House?

No answer having been given,

The Marquis of *Buckingham* observed, that the conduct of his Majesty's ministers had in all respects been so irregular, that he was justified in departing from the strict course of order, by making some further observations. The declaration of the 30th of March stipulated to support the arrangements which had been signed and concluded at Vienna—not, it was to be observed, the arrangements which might hereafter be concluded. It did not matter in what shape the noble earl submitted his proposition to the House; they had to look to the Treaty itself, which they were to be called on to approve of, and until the noble earl could "rail the seal from off the bond," the House, by approving of the Treaty, would approve the arrangements of the Congress to which it referred. He thought it was not too much that the House and the country should ask what those arrangements were. It was not now the time to consider whether the question had been put off too long; he believed it had been put off too long for the strength of the country; but it was imperative on the House to know what they were to bind themselves to support. He should again inquire whether any copy of a declaration of his Most Christian Majesty had been issued at Ghent?

The Earl of *Liverpool* said, that his Majesty's Government were not answerable for any declaration issued by any foreign power or state.

Earl *Grey* wished to know, whether there was any reason to doubt the authenticity of that declaration?

The Earl of *Liverpool* said, that he could not deny or affirm the authenticity of any thing issued by Louis 18.

The Earl of *Darnley* said, that to bring the matter to the test, he should move an Address for a copy of any declaration of Louis 18, issued at Ghent, which might have reached this country.

The Marquis of *Buckingham* observed, that Louis 18, in the declaration alluded to, had spoken not only in his own name, but in the name of his Allies.

The House then divided on the motion of earl Darnley.—Contents, 28; Not-Contents, 59: Majority, 31.

The Marquis of *Buckingham* said, that as it appeared that this country had entered into stipulations to maintain the arrangements at the Congress, in the Treaty which was to be discussed on Tuesday—and as it was impossible to come to that discussion without a knowledge of those arrangements—he should give notice, that on Monday, the only day on which he could make that motion, without delaying the discussion of the Treaty, he should move for the production of the arrangements concluded at the Congress.—The Lords were ordered to be summoned for that day.

ROMAN CATHOLICS OF IRELAND.] The Earl of *Donoughmore* said, that the Petition of his Catholic countrymen, which had been again confided to him, he should then solicit their lordships permission to lay upon the table of that House. Upon its subject matter, which had already, and so often, engaged the attention of Parliament, it was equally unnecessary, and inconsistent with the present stage of the proceeding, that he should offer any observation. He thought it, however, not unfitting that he should apprize their lordships, that the signatures to that Petition were numerous and respectable; not that he should wish to attribute to that consideration any very particular degree of weight. It was not to the rank or number of the petitioners, but the grievances of which they complained, that their lordships attention would necessarily be directed. And where the disfranchisement of a large class of the community, without any imputed civil offence, constituted the weighty ground of these renewed complaints, their lordships would not surely pause to count the number of those who might have thought it expedient to raise their voices up, at this particular crisis, against the general grievance. The sense of common exclusion must be considered to unite in pursuit of the same redress, naturally, and as a matter of course and of necessity, every member of the proscribed cast, of whatever description or degree, and how far soever those amongst them, the most distinguished for rank and property, for talent and discretion, had agreed in sentiment with each other, or may perhaps have differed in opinion, respecting the manner in which these appeals to Parliament had, or ought to have been, framed and conducted.

The Petition having been received and read, the noble lord appointed Thursday se'nnight, the 1st of June, for its consideration; and for which day the House was ordered to be summoned.

HOUSE OF COMMONS.

Friday, May 19.

IRISH CUSTOMS DUTIES BILL.] The House having resolved itself into a committee of the whole House, to consider of so much of the Act 39 and 40 Geo. 3, c. 67, for the Union of Great Britain and Ireland, as relates to regulating the payment of duties of customs on foreign goods imported into Great Britain from Ireland, or into Ireland from Great Britain, and of the drawbacks on the exportation of goods, the growth, produce, or manufacture of Great Britain or Ireland, having been imported into either country from the other,

Mr. Vesey Fitzgerald moved, "That the chairman be instructed to move the House for leave to bring in a Bill to regulate the payment of the duties of customs on foreign goods imported into Great Britain from Ireland, or into Ireland from Great Britain, and of the drawbacks on the exportation of goods, the growth, produce, or manufacture of Great Britain or Ireland, having been imported into either country from the other."

Sir *J. Newport* said, that he could not help thinking this Bill unnecessary, as the articles of Union made ample provision for the purpose alluded to; and he could not hesitate to pronounce it as extremely impolitic and unjust, if it were intended to interfere with those articles which ought to be held sacred with a view to preserve an harmonious connexion between the two countries. Nothing, indeed, was calculated to create more alarm, especially in Ireland, than to find those articles meddled with from time to time, as if they were mere statutable provisions, liable to be changed at the pleasure of the Legislature.

But if any doubts existed upon the interpretation of those articles, he hoped that such doubts would be removed to the satisfaction of all parties.

Mr. *Fitzgerald* stated, that his proposition was brought forward in consequence of doubts which arose upon this subject out of the construction of the Act of Union, the sanctity of which he could assure the right hon. baronet he was as anxious to maintain as any man.

Mr. *Horner* deprecated strongly any attempt to interfere with the articles of the Union, unless very grave doubts indeed existed as to their construction. For the letter of those articles should, on all occasions, be treated as the governing principle of the Legislature.

Mr. *Fitzgerald* said, he was acting in conformity to the opinion of the counsel of certain public Boards, who entertained doubts upon this subject, with which doubts, however, he did not himself concur. Therefore he had no wish to press the Bill, as the doubts alluded to would probably be removed by a discussion in that House. But he trusted that no objection would be made to have the Bill brought in.

The Resolution was agreed to: the House resumed, the report was received, and leave was given to bring in the Bill.

Papers relating to Marshal Murat.] Mr. *Whitbread*, as he had understood from the Chancellor of the Exchequer, that public business was expected, at this period of the session, to commence at a quarter past four, concluded from not seeing the noble lord (Castlereagh) in his place at that time (between five and six), that it was not likely they would see him there before Monday. He must, however, put a question respecting a paper purporting to be a proclamation issued by the Duke of Wellington, which he expected would be proved to be a forgery. A statement to this effect he had supposed would be made before the discussion on the expected Message took place. It was necessary that it should be disavowed; for though it was certainly destitute of all appearance of authenticity, it had caused a considerable sensation in the public mind. Feeling this, he now rose to ask the Chancellor of the Exchequer, if the paper in question was a true proclamation, issued by the Duke of Wellington or not.

Mr. *Wellesley Pole* wished distinctly to answer that ministers had not the slightest reason to consider the proclamation referred to an authentic document, nor had they any grounds to suppose that up to the present moment the Duke of Wellington had issued any proclamation at all.

Mr. *Horner* said, he had a motion to make, which he had wished to submit to the House in the presence of the noble lord (Castlereagh), but which he felt it necessary to bring forward now. After what had appeared in some of the foreign journals, the House must feel it was impossible for him not to call their attention to certain papers which had been read by the noble lord on a former night, which had produced a strong impression, not on his mind certainly, but on the House, which papers were now declared to be forgeries and fabrications. It was impossible for any man in that House to doubt, that when the noble lord read the documents alluded to, he believed them to be genuine; but a charge had been made in the face of Europe—it might turn out that the charge would recoil on those by whom it was made—of such a nature, that he thought it impossible for that House not to feel itself called upon to ascertain the true character of the papers which had been communicated to them, as far as they had the means of doing so. In the absence of the noble lord, he would not describe the impression which the recent publication had made on his mind. Without going further into the subject he must observe, that there were two documents referred to in the French papers, which he thought, if at all in existence, must be in the office of the Foreign Department. One was a letter from the French minister, count Blacas, transmitting three letters to the Foreign minister of this country, and the other was the letter of the Duke of Wellington, said to be dated January the 4th, 1815, which contained a statement of his opinion on certain documents submitted to him relative to the conduct of Marshal Murat. He hoped the House would order the production of these two papers. If the letter of the Duke of Wellington were genuine, it could be produced with little delay, and the other document which he wished to see laid on the table, might also, he apprehended, be immediately forthcoming, as it must be in the possession of the noble lord. He then moved for the production of a letter from count Blacas to lord Castlereagh, transmitting certain documents relative to the conduct of Marshal Murat, together with a letter from the Duke of Wellington on the same subject.

The *Chancellor of the Exchequer* hoped, in the absence of his noble friend, the hon. and learned gentleman would suffer his motion to remain in the hands of the Speaker, as a notice of a motion for a future day. He had parted from his noble friend no longer ago than at four o'clock, when he left him preparing to come down to the House. He had expected him up to that moment, and surmised from his absence, that unexpected business of importance had detained him. His noble friend, he doubted not would feel it to be his duty to communicate to the House all the information he possessed on the subject which had been brought under their consideration. The Chancellor of the Exchequer said he believed the letter of the duke of Wellington, which had appeared in the French papers, to be a genuine letter, but the opinion it expressed was not founded on the documents which his noble friend had communicated to the House; and the impression on the mind of the duke of Wellington with respect to the conduct of Marshal Murat, had experienced a complete change, when those documents to which he had last referred were laid before him. With respect to the statement contained in the foreign journals—it did not strike him that a charge of having forged the papers in question was set up against the ministers of this country; but it appeared that the French Government, for its own purposes, had represented certain persons in the Royal Government to have garbled the documents to which they had access, in order to make them such as should produce an undue impression on the minds of those to whom they were communicated. This was an explanation which he felt anxious to make.

Mr. *Horner* said, he had not stated that the fabrication of the documents in question had been charged on this country. Every one who read the French papers must see that it was against the Royal Government of France. On the statement made by the right hon. gentleman, that his noble colleague would be anxious to give the House every information in his power on the subject which he had brought forward, he felt disposed to concur with the suggestion of the Chancellor of the Exchequer, and to suffer his motion to be considered but as a notice for Monday, on which day he should certainly again bring the question under the consideration of the House.—The conversation was here considered to be at an end, when lord Castlereagh entered.—Mr. Horner then said, that seeing the noble lord in his place, he thought it might be desirable that he should now make him acquainted with the statement which he had made in his absence. He then shortly repeated his former speech, and described the motion which he had made, and the manner in which it had been proposed to dispose of it.

Lord *Castlereagh* was disposed to express his acknowledgments to the hon. and learned gentleman for the early opportunity he had afforded him of offering some explanation on the publication which had been made in another country; but if the hon. and learned gentleman had delayed bringing this subject before the House, till the papers now printing were produced, it was probable that in them, he would have found much of the information he wanted. The letter of the duke of Wellington, dated January 4, 1814, was a perfectly correct paper, but the opinion expressed therein applied to documents totally different from those which he had communicated to the House. It was certainly true, that some papers relative to the conduct of Murat were found, and communicated to the duke of Wellington, before he last left Paris, and the answer which he had given proved that there was no disposition on his part, as the servant of the English Government, hastily to decide against Murat, on charges which were not borne out by facts. The opinion he (the duke of Wellington) then expressed, was founded on documents totally distinct from those which had subsequently been obtained. Those which he (lord Castlereagh) had communicated, had been discovered on the interval which passed between the duke of Wellington's arrival at Vienna, and his (lord Castlereagh's) leaving Paris and arriving in London. These documents had been forwarded to him officially by the French minister, regularly certified. It was said that these papers had been falsified. There were in all eight letters, five of which were genuine beyond dispute. The only documents in which a question could be raised, were the three letters of Buonaparté, which had been found, not as the others were, but in the only state in which such documents could be found, in the form of copies or drafts of letters, to be sent to the persons to whom they were addressed. Count Blacas in taking copies of these had not been content with the precaution of getting them regularly certified in the official way; he had not stopped there, but that there might be no chance of their being mislaid, or of their not being forthcoming at any time, he had delivered the originals into the hands of the ministers of the Two Sicilies, prince Castelcicala. He (lord Castlereagh) had seen the minister of the Two Sicilies that morning, and had examined the originals of the papers of which he had received certified copies from count Blacas. Respecting five of them, no doubt whatever could be entertained of their being genuine. These clearly established the fact that Murat, endeavouring to manage for himself, was equally false to Buonaparté and the Allies. The last of these letters was completely proved to be genuine by the official letter of general Clarke, and enough was here proved to establish the only charge which had been preferred against Murat. When on investigation it was found, that the character attempted to be given to these documents was only a part of the system which the present French Government was acting upon when their proceedings in other respects, and their fabricated proclamations of the duke of Wellington were taken into consideration, it must be seen, that the effort made to induce the people of France to believe those documents to be forgeries, was one of the expedients which was thought necessary to induce that deluded nation to determine for that desperate course which was necessary for the support of the ambition of that man, now unhappily at the head of it. The opinion first pronounced by the duke of Wellington on the documents submitted to him, ought, if any thing, to strengthen the presumption, that there was no undue disposition on the part of the Government of England hastily to form an unfavourable judgment on the actions of Murat. When those documents which he (lord Castlereagh) had subsequently received, were officially transmitted to the duke of Wellington at Vienna, his answer was very different from that which he had formerly made. He then said—"After receiving such undoubted proofs of the treachery of Murat, he could no longer retain his former opinion. He had submitted the documents to the allied Sovereigns, who had no doubt on the subject, and were convinced they owed it to their own security to put it out of his power to act such a part by them again, and an attack on him was accordingly determined upon." But if all these documents were suffered to go for nothing, Murat's case would not be much improved, considering the events which had recently taken place; as he, in the spirit of his former treachery, had actually made an attack upon the Allies, before they had attempted to carry their resolution into effect. He repeated it, that the letter of the duke of Wellington was a genuine document, but founded on papers wholly distinct from those which he (lord Castlereagh) had submitted to the House. Of those documents last referred to, five were genuine beyond all doubt, and especially that of the Viceroy, which he (lord Castlereagh) had seen that morning, and he thought he himself knew enough of the hand-writing of that person to be able to pronounce on the authenticity of that document. The only three documents on which a doubt could be raised were papers which could not have been found in any other form than that in which they had been discovered; and the attempt to falsify them from circumstances, ought only to be regarded as a lame attempt of the present Government of France to dispose the people to further the ambitious views of Buonaparté. Count Blacas could have no motive for forging the three documents in question, when all that he wished to show was more than proved by the other papers, on which no question could be raised. The letter of the duke of Wellington he had been made acquainted with when he was at Vienna. He thought a copy of it had been sent to him there, but of this he was not certain. If it was desired, it could easily be produced; but for the purpose of discussion, he was prepared to admit the copy of it which had appeared in the French papers to be genuine.

Mr. *Horner* said, that much of the matter of the noble lord's speech was quite extraneous, as the question, whether the course which had been pursued with respect to Murat was or was not justified, was not the subject of this day's debate. The papers which the noble lord had brought before the House, it should appear, had not been in the possession of the French Government, or at least they had not known they were in possession of them, or if they did, had not thought them worth laying before the duke of Wellington so lately as in January last. It was important to know whether none of these letters were among the papers, on which his first opinion was founded. Whatever might be the weight of his ultimate decision, it must depend much on this question. It was said, that of eight letters which had been brought before Parliament, five were genuine beyond all doubt. But if three should prove fabrications, he should not think the authenticity of the others beyond all doubt, because the detection of their falsehood was not yet complete. The noble lord had too correct an understanding not to be sensible of this, that if three fabricated letters had been imposed upon him, the other five which were derived from the same source could not be depended upon —he could have no reliance on them. The question now before the House was not as to the good or bad conduct of Murat, but related solely to the authenticity of the documents which had been laid before Parliament. On this subject it had been satisfactory to him to find the noble lord anxious (as indeed he had expected he would be) to keep pace with his wishes, to outrun them indeed, in giving that information on the business which had become necessary. With respect to the papers, however, which had already been ordered, as the House had been kept waiting for them seventeen days, considering the period of the session at which they had arrived, he could not but think an unreasonable delay had taken place.

Lord *Castlereagh* said, he had not meant, in what he had said, to throw any blame on the conduct of the hon. and learned gentleman; on the contrary, he had expressed gratitude to him for the early opportunity afforded him of giving that explanation which he thought necessary. He did not believe that any culpable delay had taken place on the part of the officers charged with the execution of the former order of the House for the production of papers; but the voluminous nature of them, added to the circumstance of many of them having to be translated, had necessarily caused a considerable portion of time to elapse before they could be produced. As to the questions of the hon. and learned gentleman respecting the documents on which the opinion of the Duke of Wellington had been founded, he (lord Castlereagh) thought they had both a common interest in throwing a light on that subject; but he could rather have wished that the hon. and learned gentleman had not seemed to prefer giving his confidence to the statement made on the other side of the water, rather than to that which had been put forth on this side of it. Knowing the character of the two Governments, he should have hoped he would not have supposed the English ministers most likely to present a garbled statement to the world. With respect to the documents which had been produced, he again contended that five of the eight were genuine beyond all dispute; and he could not bring himself to believe that the other three were fabrications. From the inspection of the originals, he was convinced the fraud was too elaborate to have been so successfully accomplished. If the hon. and learned gentleman wished to see these documents, he (lord Castlereagh) thought he could procure him a sight of them; and he thought that would convince him they were no forgeries, and that he would thence be led to conclude that the attempt to falsify them was no other than an attempt of the present French Government, to build a fraud on them, by pretending one to have been built on them by the government of Louis 18.

Mr. *Horner* said, with respect to the insinuation which had been thrown out by the noble lord, as to his readiness to credit the statements made on the other side of the water, he had only to assure him, that satisfied that his character was known to the House, he should treat it with the most perfect indifference.

Mr. *Tierney* wished to know if the noble lord had not officially received a copy of the Duke of Wellington's letter at Vienna, and if he could not produce that copy? Could the noble lord state that none of the five genuine letters were among the documents on which that letter was founded?

Lord *Castlereagh* was willing to produce the document, if it was in his possession. He distinctly recollected being told at Vienna, that certain documents respecting the conduct of Murat had been submitted to the Duke of Wellington, and also that he had been informed of the answer which he had given. He did not know if the letter was now in his office; but he admitted that which had been published to be genuine. He considered the documents on which the opinion expressed in that letter was founded, to be altogether different from those recently brought before the House.

Mr. *Tierney* thought it possible that some of the five documents, said to be undoubtedly genuine, were among those on which the first opinion of the Duke of Wellington was founded.

Lord *Castlereagh* had not understood any of those documents to have been at that time submitted to him.

Mr. *Tierney* wished to know if the noble lord had seen the documents which were submitted to him?

Lord *Castlereagh* said, that documents on which no case could be founded he had considered to be very unimportant for him to see.

Sir *James Mackintosh*, if he understood what had just fallen from the noble lord, thought some of the five documents might have been among those which were laid before the Duke of Wellington. Was the noble lord prepared to say that he knew what those documents were? If he could say this, and that none of the five were among them, it certainly would be very important.

Lord *Castlereagh* stated, that the three documents which were last found in the archives, were not discovered till after he had left Paris. Surprise had been expressed at papers being thus found from time to time; but this had arisen, as he had been informed by the French Government, from the circumstances of the documents being very numerous in the archives, and consequently consuming much time in the examination. All were in the possession of the Government in January last, though from the length of time taken up by the search, they could not be discovered at that period.

Mr. *Horner* said, the noble lord would do him the justice to acknowledge, that on the night when these documents were first brought forward, he had doubted their authenticity, without waiting for the statement that might be put forth from the other side of the water. It had particularly struck him, that it was highly improbable the letter dated from Nangis should be found at Paris.

Lord *Castlereagh* certainly admitted that the hon. and learned gentleman had expressed a doubt on the subject; but at the same time it had appeared to him, that an impression was made upon his mind, as well as on the House in general, that there was internal evidence of the letters being genuine. There was, indeed, that in the documents in question, that he must confess, had they come to him in a less satisfactory manner than on the authority of the minister of a crowned head, his suspicion would not have been so much alive as it would on many occasions.

Mr. *Horner* said, it was clear from what had recently transpired, that they both were right as to the internal evidence which some of the letters bore of coming from the pen to which they were ascribed.

The question was then put, and the motion agreed to.

East India Ships Registry Bill.] On the order of the day, that the Bill to make further regulations for the registry of ships built in India be read a second time,

Mr. *Marryat* moved, that counsel be heard against the Bill on the part of the persons who had petitioned to that effect.

The *Speaker* intimated that counsel could not be heard until the question of the second reading was disposed of; it would then be competent to introduce them if the House thought proper preparatory to the committal of the Act.

Sir *C. Monck* trusted, that the second reading did not identify those with the principle of the Bill, who sought to hear counsel against it at the bar.

Mr. Alderman *Atkins* expressed his anxiety that counsel should be heard before the principle was acknowledged.

Mr. *Wallace* said, it would be competent for the House to enter into a full discussion upon the merits of the measure when it was about to be committed.

Sir *C. Monk* trusted, that the question would still be open for general discussion after the second reading.

Mr. *Wallace* replied in the affirmative.

Mr. *Marryat* urged the number of the petitioners and the importance of their complaint, as sufficient grounds for their being heard by counsel.

Mr. Alderman *Atkins* suggested, that some regulations might be entered into which would obviate the grievances of which the petitioners complained.

The *Chancellor of the Exchequer* intimated, that the object at which the hon. alderman aimed, was attainable in the committee; where the regulations could be either wholly opposed or modified.

The Bill was read a second time. Mr. Marryat then moved, "That counsel be called in." The Speaker inquired, whether they were in attendance? The Serjeant at Arms reported that they were. When the question was put, that counsel be called in,

The *Chancellor of the Exchequer* objected to the motion. It was known to the House, that a committee had been sitting upon this subject from April to July during the last session. Counsel were heard in that committee, and every argument which could be adduced was then laid before them on the part of the petitioners. After an investigation so general as that to which he alluded, it would be a a waste of time, as well of money, for the parties to countenance a further renewal of topics which had grown familiar by their repetition to almost every member of the House.

Mr. *Marryat* repeated the importance of the subject, in justification of the motion he had made. In different private establishments on the Thames, three or four thousand shippers, and an equal number of other artificers, had been employed. At present there was not a single ship building in those places; nor was it likely there would be one, if this Bill passed. Under such circumstances, he trusted the indulgence of the House would allow the petitioners to be heard by their counsel at the bar.

Mr. *Sturges Bourne* said, it was without example to call upon the House for a further hearing, after that which had already taken place. On the subject volumes of evidence had been transmitted to him, and he supposed other members were equally put in possession of its merits. It was idle to say, that any new light could be thrown upon the case.

A division then took place, when the numbers were: For calling in counsel, 13; Against it, 33.

HOUSE OF LORDS.

Monday, May 22.

Prince Regent's Message relating to France.] The Earl of Liverpool presented to the House a Message from the Prince Regent. The Message [for which see the proceedings of the Commons] was read by lord Ellenborough, who sat on the woolsack, and for the time acted for the Lord Chancellor, who was indisposed. The earl of Liverpool moved that the Message be taken into consideration to-morrow, and that the Lords be summoned.

Earl *Grey* did not rise to state objections at any length to the proposition which the noble earl had just made to their lordships. He still, however, notwithstanding all he had heard or seen on the subject, remained of opinion that before they were called upon to concur in an Address, founded on a treaty purporting to be made in support of certain stipulations and arrangements, they ought to know what those stipulations and arrangements were. This at present they did not know; and they were placed in this awkward predicament, that they must thus incidentally pledge the faith of the House to the approval and support of arrangements and stipulations of which they could know nothing. That, however, was not the point to which he now wished to call their lordships attention. He rose for the purpose of requesting the noble earl opposite to state precisely in what situation the country stood. Were we actually at war, or were we not? and in what light, with reference to the subject of war or peace, was the Message and the Address about to be moved in consequence to be regarded? He trusted the noble earl would not feel it inconsistent with his duty to give the desired explanation upon that head.

The Earl of *Liverpool* said, that he was just on the point of presenting the treaties and other papers connected with this subject, when the noble earl spoke [his lordship then handed them in], and from these, he trusted, would be derived all the requisite information as to those points which they would be called upon to consider to-morrow: with respect to the matters touched upon by the noble earl who had just spoken, he did not conceive that the House, by the Address which he should propose, would be at all pledged to the approval or support of the stipulations and arrangements to which the noble earl referred; for the question, whether their lordships would concur in such measures as it might be necessary to adopt against the common enemy, and a system proved by experience to be incompatible with the peace and independence of nations, was entirely distinct from the question, whether their lordships should approve or not of these arrangements and stipulations. He did not conceive, therefore, that the House would be at all pre-judged in that respect by agreeing to the Address which he proposed to-morrow to submit for their consideration. With regard to the question, in what situation was the country placed, were we at peace, or were we actually at war? he was perfectly ready to give the noble earl and their lordships such an explanation on that head as, he trusted, would be found satisfactory. If the noble earl wished to know whether hostilities had really commenced, that is, whether letters of marque had been issued and ships captured, or any blow had been actually struck, he had to answer, that in that sense hostilities had not yet actually commenced: but he should deceive the noble earl, and deceive the House, if he were not distinctly to avow, that this Message was brought down with a view to the commencement of hostilities against the system mentioned in the Message, as soon as it should be found expedient to do so. He was aware that the expediency of beginning the war at an earlier or later period might depend upon various circumstances; but as to the nature and object of the Message, it was certainly to be regarded as a war message; and in concurring in the Address which he should have the honour to propose to-morrow, their lordships would be understood to concur in the propriety of commencing hostilities in concert with our Allies against the system to which he had adverted, as soon as, in point of expediency, it might be judged proper to begin the war. This was undoubtedly the nature and purport of the Message, and he wished it to be so understood.

Earl *Grey* asked whether the treaty had been ratified by Austria.

The Earl of *Liverpool* replied, that it was not as yet ratified by that power; that the ratification had not yet arrived, but was every day expected. The noble earl would find, however, in one of the papers now laid on the table enough to show, that there could be no doubt as to the intention of Austria to ratify the Treaty.

The motion was then agreed to.

PROCEEDINGS OF THE CONGRESS AT VIENNA.] The Marquis of *Buckingham* rose, pursuant to notice, to move an Address to the Prince Regent, praying that he would be graciously pleased to lay on the table copies of the stipulations and arrangements made at the Congress at Vienna, and mentioned in the Treaty of the 25th of March, as stipulations and arrangements which it was the object of the Allies, in the approaching contest with the present ruler of France, to support. In bringing forward this motion, it would be unnecessary for him to trouble their lordships at any length, because the grounds and propriety of his motion might be explained in a very few words. His motion rested upon these words in the 1st article of the Treaty of the 25th of March: "The High Contracting Parties solemnly engage to unite the resources of their respective states for the purpose of maintaining entire the conditions of the Treaty of Peace concluded at Paris, the 30th of May, 1814, as also the stipulations determined upon and signed at the Congress of Vienna, &c." The object, then, of the parties to this alliance for the purposes mentioned in the Treaty was to maintain entire the stipulations "determined upon and signed" at the Congress of Vienna. When, therefore, their lordships were called upon to concur in the measures necessary to give effect to a treaty having for its object the maintenance of these stipulations, they ought certainly to know what these stipulations were. The stipulations in question were said to be concluded, to be determined upon, and signed; and if ratified, they were in a state fit to be produced, and certainly ought to be produced, and approved by their lordships before they pledged themselves to maintain them. If they were not reduced into the form of a treaty, and were not ratified, and not in a state fit to be produced, then they ought not to have been mentioned in this Treaty at all. When their lordships were thus called upon by a side-wind, as it were, to approve of these stipulations, surely it was not too much to ask that the substance of them should be communicated, or some explanation given which would at least afford some foundation for this method of proceeding. This, then, was the ground of his motion. In the predicament in which the House was placed, it was hardly possible for them to declare their approbation of the Treaty of the 25th of March, and the objects for which it was entered into, without at the same time pledging themselves to the approval of stipulations and arrangements of which they did not, and could not, regularly know any thing. He could, therefore, say nothing with respect to them. Admit that they were the most wise, the most politic, the most just and equitable that had ever been framed; still it was contrary to every idea of propriety to call upon their lordships to approve of that of which they could regularly know nothing. With these few observations he should leave the matter for their lordships consideration, reserving to himself the liberty to make such a reply as he might think proper to the answer which might be given by the noble earl opposite. He confessed he did not see, however, how any satisfactory explanation could be given on the subject.

The Earl of *Liverpool* should, he believed, give such an explanation as would, he trusted, be satisfactory even to the noble marquis himself. He might have occasion to-morrow to go more at large into this subject; but still he could not suffer the present opportunity to pass without saying a few words on the point. The address which he should propose would not, as he had before stated, in the least compromise the opinion of the House with respect to the stipulations and arrangements made at the Congress of Vienna. Neither to those which had been concluded, nor to those which were in the course of being determined upon, would the House be in the least pledged. The object of the present Message and Address was totally distinct from any question that might arise on the subject of those stipulations and arrangements, which stood exactly on the same footing as they would have done if the unfortunate events which had given occasion to this Treaty had never arisen. Whether those arrangements were wise or the contrary—whether they were right or wrong—politic or impolitic—was nothing at all to the present question. He should be ready to show, when the proper time arrived, that they were in every respect wise and politic, and well calculated to preserve the peace and independence of nations. But his argument was, that this was not the proper time to enter into that subject, because those arrangements and stipulations had not as yet been reduced into the form of a treaty. Some of the proposed arrangements had not been finished, and none of them had been the subject of regular ratification. They were not, therefore, in a state fit to be laid before their lordships, and the House could not be called upon to give any judgment respecting them. The address would steer clear of that question altogether. It would only call upon their lordships to concur in such measures as might be necessary to prevent the revival of that system which experience had shown to be incompatible with the independence and peace of nations. What had that to do with the arrangements made at the Congress? Nothing. It would be an object equally necessary to be attended to, whatever those arrangements might be; and their lordships might be assured, that all those stipulations would be considered as completely open to animadversion, notwithstanding the concurrence of their lordships in this Address. Under these circumstances, he could not perceive what advantage could be gained by this motion of the noble marquis, and he trusted the noble marquis himself would see the expediency of withdrawing it. At any rate, he was satisfied it was not a motion to which their lordships could, at the present moment, think of giving their concurrence.

The Marquis of *Buckingham* thought the answer of the noble earl insufficient and unsatisfactory. Their lordships would observe, that it was expressly stated in the first article of the Treaty upon which the Address must, in a great measure, be founded, that the object of the contracting parties was to maintain entire the stipulations concluded and signed at the Congress of Vienna. Why, then, when they were called upon to concur in that address, was it not by a side wind to procure their lordships approbation of arrangements and stipulations, of the nature of which they were and must be ignorant, since they could not be regularly considered as knowing any thing about them till they were laid before them? If the sole object of the Address were to pledge their lordships to take the requisite measures to prevent the revival of a system proved by experience to be incompatible with the independence and peace of nations, perhaps there would not be a shadow of difference between him and the noble earl; but from the way in which the matter was managed, he could not well conceive how they could concur in the address, without giving by a side wind their approbation to arrangements with which they were unacquainted. It was far from his wish to delay the discussion of the main subject of the Message and the proposed Address, for he agreed that it had perhaps been already too long delayed: but, surely, in the predicament in which the House was placed, it was not too much to expect that some explanation as to those arrangements, some statement of the general nature of the stipulations, should be given, before they were thus, by implication at least, called upon to approve of them. Still, however, if it was to be understood on all hands that their lordships, by a concurrence in the Address, were not to be understood as at all pledging themselves on the subject of those stipulations and arrrangements, he was disposed not to press his motion: with this understanding, that no such pledge was to be called for, or was considered to be given either directly or indirectly, he should, with their lordships leave, withdraw it.

Earl *Grey* said, he must confess he was still very little satisfied, with the explanation given by the noble earl on the subject of his noble friend's motion. If the stipulations and arrangements in question were not in a state fit to be produced—if they were not regularly ratified so as to bring them in the regular course to the notice of their lordships—why were they inserted in the present Treaty at all? As matters now stood, when they came tomorrow to discuss and decide upon a question, the perilous magnitude of which he almost trembled to think upon, it would hardly be possible not at the same time to take into consideration the subject of those arrangements and stipulations which were mentioned as a constituent part and object of the present Treaty; and though it was stated that they were not regularly ratified and not in a state fit to be produced so as to enable their lordships to examine and decide upon them, yet as they were mentioned generally in the Treaty of the 25th of March, their lordships would be called upon indirectly to approve of them, though it was admitted that they could know nothing of them. But there was another most important view in which the information now required was essentially necessary. The noble earl had stated, that the arrangements had no connexion with, and would not at all affect the question to be submitted for consideration to-morrow: But might they not affect the question as to the expediency of commencing hostilities? Might they not, to a fearful extent, affect the chances of success? If those arrangements and stipulations were in themselves just and equitable, and agreeable to those states whom they more especially affected, and satisfactory to the nations of Europe in general, would not this be a most material consideration, when they came to discuss the proposed Address, with a view to the chances of success, and the consequent expediency of thus embarking in a new war? The prospect of success must materially depend upon the cordial concurrence and support of all the Powers who were to engage in so perilous an undertaking: and was it not fitting, therefore, that their lordships should know something now of the nature, extent, and principle of those arrangements, which might, perhaps, bear so directly and powerfully upon the strength and efficiency of the means by which it was proposed to accomplish the object which now distinctly appeared to be in view? Was it not of essential consequence, when their lordships were to be called upon to concur in the propriety of entering into a new war, that they should know whether those arrangements were such as to inspire general confidence, and give strength and energy to their cause and their measures; or whether they were such as would form a source of disunion, apathy, and weakness? How could their lordships know at present, whether the stipulations mentioned in the Treaty were such as promised cordial co-operation and success, or such as portended division and failure? And yet this was a question of the first importance in considering the expediency of commencing hostilities. There was another subject, too, with respect to which it was proper for their lordships to have some information before they came to discuss the question of to-morrow, and which he would advert to, before he sat down, that he might not again be under the necessity of addressing their lordships at this time. He had on their last day of meeting called their lordships attention to that part of the Treaty which provided that Louis the 18th should be invited to accede to it, and he had asked, whether there was any formal act of accession; and if there was, he had stated that, in his opinion, it ought to be produced. He now again contended that some information on that head ought to be laid before their lordships, as that information might be of great importance in pointing out to the House the principle upon which they were proceeding. The production of this information he now considered as the more material on account of what he had seen in one of the papers this day. He had there read a manifesto of Louis 18th to the French nation, which contained this statement.

"The Powers assembled in Congress have done more. Their character, undoubtedly, and their magnanimity, known and admired by all the world, would forbid our imagining a more sacred security for their promise than their promise itself; but they have themselves conceived, that to this guarantee it might be fit to add another; that they could never sufficiently tranquillize the King with regard to the future fate of his people, nor testify too much respect for the fidelity of the French nation under the sorrow that overwhelms it, and the hope-destroying inactivity to which it has been reduced. The Powers determined that the King's accession should be specially required to the new compact which they had recently concluded. Their Ambassadors laid before his Majesty all the communications respecting it. They presented to him, from their respective Sovereigns, new credentials, with a view to their being near the person of the only lawful Sovereign of France, wherever he might reside, and upon the verification of their powers they offered the new Treaty to his Majesty for his deliberation and his signature. Frenchmen! The King has deliberated, and he has signed it!"

These words appeared to indicate a determination to go to war for the purpose of replacing Louis 18 on the throne of France; and if so, it was in direct contradiction to the declaration added on our part to the Treaty, and approved of by the Allies. It was desirable, too, that the powers of those ministers who were accredited to the Court of Louis 18, should be produced, that it might be seen what were the relations in which we stood with respect to that unfortunate Monarch. As to the paper to which the noble earl had referred him, on the subject of the Austrian ratification, he did see enough there to lay a ground of hope, that the Treaty would be ratified by that Power; but he saw nothing to account for the delay which had taken place with respect to that ratification.

The Earl of *Liverpool* could only repeat what he had before said, that he considered the stipulations and arrangements at the Congress of Vienna as having nothing to do with the present question. Whether they were wise and politic, or the contrary, was for this purpose immaterial. Their lordships would, at the proper time, have full opportunity to examine those arrangements. They were in the same state as that in which they would have been if this event had not happened. Some of the arrangements had been decided upon. Some were in progress. But none of them had been reduced into the form of a treaty; and he did not therefore consider it as at all necessary or proper to go into those matters in discussing the question which would be brought before their lordships to-morrow. There was nothing irregular or unusual in this course of proceeding. Their lordships would only be called upon to support those measures which were accessary to prevent the revival of a system destructive of the peace and independence of nations; and this was an object equally proper, whether the arrangements and stipulations at the Congress were right or wrong. The noble marquis had said, that they would be called upon by implication to vote their approbation of arrangements of which they knew nothing: but he contended, that no such vote could be implied by their concurrence in the address which he should propose, as the question in the two cases was entirely distinct. The noble earl who spoke last had contended, that the knowledge of the nature, extent, and principle of those arrangements might affect the expediency of pledging their lordships to the support of the object recommended in the Message. His answer was, that the arrangements, whether right or wrong, had been adopted, and were not likely, in any material degree, to affect the question of expediency, as there could be no reasonable apprehension of disunion among the principal Powers on that ground. As to the invitation to Louis 18 to accede to the Treaty, he could only repeat what he had before stated, that there was no formal act of accession, and therefore none such could be produced. With respect to what the noble earl had stated as to the ambiguous nature of our relations with Louis 18, he saw no difficulty on that head. Our ministers were accredited to the Court of Louis 18. This was a notorious fact, which the Allies were far from being desirous to conceal. There was no ambiguity in the case, which was plainly this: the Allies did not think themselves justified in attempting to impose any particular government on France, and disclaimed any such intention. Their object was to destroy that system which experience had proved to be incompatible with the peace and independence of nations, and there was nothing which appeared to them so likely to accomplish that object as the restoration of the legitimate sovereign to the throne of France. This restoration was, therefore, considered as a most desirable object by the Allies, and they openly avowed their wishes upon that head. They were anxious that Louis 18 should be restored to the French throne, and would co-operate within certain bounds for the attachment of that object, but without considering it incumbent upon them to insist upon that restoration as indispensable, provided the main object could be secured in another manner.

The Marquis of *Buckingham* regretted extremely that any mention of these stipulations should have been introduced into the Treaty, so as to mix up two questions which ought to have been kept entirely distinct and separate. However, on the assurance that no pledge was to be required on the subject of the arrangements, he begged leave to withdraw his motion.

The motion was accordingly withdrawn.

HOUSE OF COMMONS.

Monday, May 22.

Prince Regent's Message relating to France.] Lord Castlereagh appeared at the bar of the House with a Message from his royal highness the Prince Regent, which being brought up, the Speaker proceeded to read it to the House as follows:

"George *P. R.*

"The Prince Regent, acting in the name and on the behalf of his Majesty, thinks it right to inform the House of Commons, that, in consequence of the events which have occurred in France, in direct contravention of the Treaties concluded at Paris in the course of last year, his Royal Highness has judged it necessary to enter into engagements with his Majesty's Allies for the purpose of forming such a concert as present circumstances indispensably require, and as may prevent the revival of a system which experience has proved to be incompatible with the peace and independence of the nations of Europe.

"The Prince Regent has directed copies of the Treaties which have been concluded to be laid before the House of Commons, and he confidently relies on the support of this House in all measures which it may be necessary for him to adopt, in conjunction with his Majesty's Allies, against the common enemy at this important crisis."

Lord *Castlereagh* moved, that his Royal Highness's Message be taken into consideration to-morrow.

Mr. *Ponsonby* objected to the day on which it was proposed to consider the Message brought down by the noble lord. He observed, that no instance had ever come to his knowledge, in which Parliament was called on to express its opinion, with respect to Treaties concluded with foreign Powers, at so short a notice. It was most unusual, except in cases of an unimportant nature, to ask of the House to express an opinion on a message from the throne, the very day after it had been brought down. It certainly was the custom and usage of Parliament to take messages into their consideration the day after they were delivered, when they related to ordinary occurrences, on which, from time to time, the Crown was pleased to communicate information to the House; but he believed that no instance could be adduced, in which treaties were laid before the House, by the command of the Crown—in consequence of which treaties they would probably be called on to vote large sums of money—where Parliament was required, on the succeeding day, to express a decided opinion. In a case of such extreme importance, more than twenty-four hours should be given for consideration. He could see no reason for this extraordinary precipation, but probably the noble lord could explain it. He had investigated the proceedings formerly adopted in similar cases, but he could find no instance in which Parliament was required, at so short a notice, to express its opinion. Impressed with these sentiments, he hoped the noble lord would allow further time for the consideration of the documents to which the Message referred.

Lord *Castlereagh* contended, that it was entirely consonant to the practice of Parliament even on the most grave and important questions to vote an Address to a Message from the Crown the day subsequent to that Message being sent down. With respect to the subsidiary provision which the House would be called upon to make in consequence of the Treaties laid before it, that certainly would not come within the purview of the vote which it would be his duty to propose to-morrow. He should reserve that branch of the argument for a subsequent day. As to the general scope of the vote which he meant to propose, he trusted he should be able to satisfy the House, that he did not ask them for any opinion which they were not fully competent to give from the information before them; and he hoped, therefore, they would not think it necessary in this instance to depart from what had been the usual arragement, or hesitate to afford that cordial support to the Crown which the present momentous crisis demanded.

Mr. *Ponsonby* replied, that the House was distinctly to be called upon for an opinion with respect to certain Treaties which were to be laid before them only twenty-four hours previous to such a vote, and he certainly considered that interval too brief. In the case of the Crown declaring war, for example, and concluding treaties with other Powers in concurrence with whom the war was to be carried on, a communication would be made to that House, and all that the House would be called upon to do, would be barely to thank the Crown for the communication, but not, he apprehended, to come to any opinion immediately upon the nature of the Treaties, or the policy or justice of the war. He could mention one very strong instance in point. At the time when an application was made to the House for money to assist Holland, six or seven days passed before the House returned any answer to that application. In fact, he did not believe that the noble lord could produce a single instance where the opinion of Parliament was given so hastily as on the succeeding day, upon communications of the kind now under consideration. The noble lord said, the House were substantially in possession of all the information contained in the papers which were ordered to be communicated; but that was not the case. Our Government had annexed a Declaration to the Treaty of the 25th of March, which was sent to Vienna for the approbation of the Sovereigns there, and he was ignorant, for one, how that Declaration was received. There was another point which he wished to mention. He had observed, from what passed in another place, that the papers relative to the overture made by France to this country were to be laid before the House that day. Those papers had been sent by the noble lord to Vienna, for the purpose of receiving the sentiments of the Allies upon them; and what their sentiments were he certainly did not know. It appeared to him, therefore, that there were solid and serious objections against bringing the House to an opinion so early as the ensuing day.

Lord *Castlereagh* said, that the vote which he intended to propose might be one of simple thanks for the Message from the Crown, or it might be one of a different description; but he was decidedly of opinion, that it would be more convenient to argue it to-morrow, than to go into it by anticipation, by discussing a question which was not now before them. With respect to the information which the right hon. gentleman seemed to think necessary before the House could exercise a sound judgment upon the subject, he had received the commands of the Prince Regent to lay before the House all the papers that could be necessary. Among those papers would be found a dispatch from lord Clancarty, communicating the manner in which the overture from Buonarparté to this country was received at Vienna, also the overture itself, and the judgment pronounced upon it by the Allied Sovereigns. He trusted, therefore, that the right hon. gentleman and the House, when they had examined those papers, would be satisfied that every means had been afforded for enabling them to form a correct and decisive opinion.

Mr. *Whitbread* said, that as an act of courtesy it might have been expected from the noble lord, that he would have given some hint as to the nature of the vote he meant to propose to the House to-morrow; but the whole strain of the noble lord's observations were, as usual, ambiguous; nor could he infer from the Message, which was equally ambiguous, whether the country, at this moment, was to be considered as in a state of war, or in that condition of armed peace in which it had been for some time past. Now, with regard to the papers in the hands of the noble lord, which he represented as containing the fullest information that could be required upon all the points connected with this important question, he had been informed, only a few hours since, that the noble lord was not in possession of the ratification of the Treaty by all the Allied Powers. Probably in the interval between his receiving that information, and the moment at which he was speaking, it might have arrived. He alluded to the ratification by Austria. If it had arrived, it was of course included among the papers ordered to be presented; but if it was not among them, it was surely an important omission. It might have been expected, also, in the fulness of that information which the noble lord had announced, to have found among those papers, a treaty or agreement, concluded at Vienna between the Allied Powers, and referred to in the very first article of the Treaty signed on the 25th of March, without which Treaty it would be impossible for the House to come to a thorough examination of the whole subject. He hoped the noble lord would inform the House whether that Treaty was among the papers, or whether it was one which could be communicated to Parliament.

Lord *Castlereagh* said, that he was disposed to give every information as to the course he intended to pursue on the following day, which could be imparted, without drawing on, inconveniently and by anticipation, a discussion of the general question. He had no objection, therefore, to state, that the Address which he should propose would simply echo the sentiments of the Message, and give an assurance to his Royal Highness of the support of Parliament, in the measures which he might think it necessary to pursue, in concert with his Allies, and in virtue of the treaties concluded with them. But, in taking the sense of the House upon that Address, he did not mean to obtain from it any vote, pledging it to an approbation of the susidiary arrangements. The vote of to-morrow would be taken upon the broad principle embraced in the Message, that of opposing the pretensions of the common enemy, as hostile to the repose and security of Europe, without entering into any of the details comprehended in the subsidiary engagements. [The noble lord here sat down, when Mr. Whitbread reminded him that he had not replied to the other questions which he asked. Lord Castlereagh then continued.]—With respect to the Austrian ratification, it certainly had not been received, and of course was not yet exchanged; but the hon. member would see from the correspondence now laid upon the table, that the complete and unqualified assent of Austria had been given to all the stipulations of the Treaty, and the cause of its delay was merely ministerial, from certain formalities and ceremonies which were necessary before it could be expedited to this country. He considered it, however, in every respect to be as formal and authentic an instrument, as if the ratification had been regularly exchanged.

Mr. *Whitbread* said, he supposed he might take it for granted that not the smallest doubt existed in the noble lord's mind as to the fact of the formal ratification of the Treaty by Austria, though it had not yet arrived—[Hear, hear! from lord Castlereagh]. He could not help remarking, however, how easily any little informalities were got over by the noble lord, when he was willing to communicate a document, and how insuperable they were if an informal instrument happened to be moved for by the opposite side of the House—[Hear, hear!]. He supposed there was as little doubt in the mind of the noble lord with respect to the other Treaty concluded by the Allies, and which, as he before observed, was referred to in the first article of that of the 25th of March, though perhaps it had not yet been ratified. If, however, the noble lord, in the same spirit of conciliation, would consent to lay that unratified Treaty also before the House, or the substance of it at least, they would then be in possession of all the information which was necessary, as far as he was aware, to form a correct judgment; but if not, there would be this remarkable singularity in their proceedings; they would be called upon to approve a ratified Treaty, which commenced with giving its sanction to an unratified Treaty, and which unratified Treaty could not be exhibited either *in toto* or in substance to the House. Surely the noble lord might get over the difficulty in the one case as easily as he had in the other, and at least lay the substance of that Treaty upon the table. The noble lord had not satisfied him either as to the nature of the Address he meant to propose, or the vote he intended to move for. It was a very simple answer which he wished to obtain. He wished to know whether the Address would be considered as declaratory of the commencement of offensive war against France, or only as a preliminary proceeding authorizing offensive war whenever the Allied Powers should see fit to begin it?

Lord *Castlereagh* said, the hon. member was under a complete misconception as to the transactions at Vienna. If any treaty had been signed by the plenipotentiaries there, previously to the Treaty of the 25th of March, it might undoubtedly be in a condition fit to lay before Parliament, either in substance or formally; but, in point of fact, no such treaty had ever been signed there. The deliberations at Congress had cetainly proceeded, and the plenipotentiaries had signed a protocol of those proceedings, which was the only instrument referred to by the first article of the Treaty of the 25th of March. The engagements contracted by that instrument, were engagements of honour and good faith, and so far certainly they were binding upon the parties: but they were capable of revision if circumstances should require it, and were not considered as having that solemn character which belonged to a treaty formally signed, ratified, and exchanged. He could assure the hon. gentleman there was no treaty in existence signed at Vienna previously to the 25th of March, that could be submitted to Parliament. With respect to the explanation which he had given of the course he meant to pursue to-morrow, he stated that it was his intention to call upon the House to vote an Address supporting the Crown in those engagements it had contracted with its Allies, for the purpose of maintaining the cause of Europe in concert with them, against the efforts of the common enemy. That Address, therefore, might be considered as conducting to a state of hostilities against Buonaparté and those who adhered to him; but with regard to any particular instructions which might have been issued to our naval and military commanders, he trusted the hon. gentleman would feel that it was not now a proper time for offering any explanation upon that subject.

Mr. *Whitbread* said, his question did not point to any such information. With respect to formalities, in reference to the Treaty, or arrangement, or whatever it might be called, entered into by the plenipotentiaries at Vienna, he would just read the first article of the Treaty signed on the 25th of March:—"The high contracting parties solemnly engage to unite the resources of their respective states, for the purpose of maintaining entire the conditions of the Treaty of peace, concluded at Paris on the 30th of May, 1814, as also the stipulations determined upon and signed at the Congress of Vienna, with a view to complete the dispositions of that Treaty," &c. Would not any common person reading those words, think that they referred to some stipulations which were binding and conclusive, and not to such as were still subject to revision and alteration? But the noble lord had now told the House, that the Allied Powers, in the exercise of those attributes which belonged to sovereigns, were still at liberty to change and modify those stipulations.

Mr. *Tierney* observed, that he understood the noble lord as intending to call upon the House to vote their approbation of the Treaties laid before them. If so, he must remark, that in the Treaty of the 25th of March there was a direct recognition of certain stipulations entered into and signed by the plenipotentiaries at Vienna. Now, how was it possible for the House to approve of a Treaty containing such a clause, without knowing to what it referred? If the noble lord would explain that circumstance in any way that should appear satisfactory to the House, he would be contented. There was another point also, upon which, perhaps, the noble lord would be candid enough to give some information; he meant, as to the amount of subsidy which it was intended to propose.

Lord *Castlereagh* replied, that with respect to the latter question of the right hon. gentleman, he would find an answer to it in the Papers about to be laid upon the table; and as to the others, he apprehended he had already given a more precise notice of his motion than was customary. Any further explanation of it would be, he conceived, not only unusual, but derogatory to the character and practice of Parliament. It could only tend to force on the question prematurely.

Mr. *Tierney* said, he was not endeavouring to force on a discussion. He only wished to know upon what grounds the proceedings of to-morrow were to stand?

Lord *Castlereagh* replied, that he had most distinctly stated, that it was not his intention to call upon the House for any opinion on the Treaties submitted to it, but merely to a general assurance of their support in the war which was likely to ensue.

Mr. *Tierney* said, that now they were told they were only to return an answer to the Message, setting aside both the subsidiary Treaties and the Treaty of the 25th of March. Would the noble lord be pleased to explain himself in one word—without any parenthesis? [A laugh!]

Lord Castlereagh returned no answer; and the question was accordingly put, and carried in the affirmative.

TREATIES WITH THE ALLIES SIGNED AT VIENNA, 25TH MARCH 1815.] Lord Castlereagh presented to the House, by command of the Prince Regent, Copies of the Treaties between his Britannic Majesty, the Emperor of Russia, and the King of Prussia, signed at Vienna, 25th March 1815. The following is a Copy of the

TREATY BETWEEN HIS BRITANNIC MAJESTY AND HIS MAJESTY THE EMPEROR OF ALL THE RUSSIAS, SIGNED AT VIENNA, 25TH MARCH, 1815.

In the name of the most holy and undivided Trinity.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the Emperor of all the Russias, having taken into consideration the consequences which the invasion of France by Napoleon Buonaparté, and the actual situation of that kingdom, may produce with respect to the safety of Europe; have resolved, in conjunction with his Majesty the Emperor of Austria, King of Hungary and Bohemia, and his Majesty the King of Prussia, to apply to that important circumstance the principles consecrated by the Treaty of Chaumont.

They have consequently resolved to renew, by a solemn Treaty signed separately by each of the four Powers with each of the three others, the engagement to preserve against every attack, the order of things so happily established in Europe, and to determine upon the most effectual means of fulfilling that engagement, as well as of giving it all the extension which the present circumstances so imperiously call for.

For that purpose his Majesty the King of the United Kingdom of Great Britain and Ireland has named, to discuss, conclude, and sign the conditions of the present Treaty with his Majesty the Emperor of all the Russias, Arthur Wellesley, Duke, Marquis, and Earl of Wellington, Marquis Douro, Viscount Wellington of Talavera and of Wellington, and Baron Douro of Wellesley, a Peer of the Parliament of the United Kingdom of Great Britain and Ireland, and one of his Britannic Majesty's most honourable Privy Council, Field Marshal of his Forces, Colonel of the Royal Regiment of Horse Guards, Knight of the most noble Order of the Garter, and Grand Cross of the most noble Military Order of the Bath, Duke of Ciudad Rodrigo, a Grandee of Spain of the First Class, Duke of Vittoria, Marquis of Torres Vedras and Count of Vimiera in Portugal, Knight of the most illustrious Order of the Golden Fleece of Spain, of the Military Order of St. Ferdinand, Grand Cross of the Imperial Military Order of Maria Theresa, of the Imperial Russian Order of St. George, of the Portuguese Order of the Tower and Sword, of the Swedish Order of the Sword, his Britannic Majesty's Ambassador Extraordinary and Plenipotentiary to the Most Christian King, and his First Plenipotentiary to the Congress at Vienna: and his Majesty the Emperor of all the Russias having appointed on his part, the Sieur Andrew Count Rasoumoffsky, his actual Privy Councillor, Knight of the Orders of St. Andrew, and of St. Alexander Newsky, Grand Cross of that of St. Wolodimir of the First Class; and the Sieur Charles Robert Count de Nesselrode, his Privy Councillor, actual Chamberlain, Secretary of State, Knight of the Order of St. Alexander Newsky, Grand Cross of that of St. Wolodimir of the Second Class, Knight of the Supreme Order of the Annunciation, Grand Cross of Leopold of Austria, of the Red Eagle of Russia, of the Polar Star of Sweden, and of the Golden Cross of Wurtemberg.

Art. 1. The High Contracting Parties above mentioned, solemnly engage to unite the resources of their respective States for the purpose of maintaining entire the conditions of the Treaty of Peace concluded at Paris the 30th of May, 1814; as also, the stipulations determined upon and signed at the Congress of Vienna, with the view to complete the dispositions of that Treaty, to preserve them against all infringement, and particularly against the designs of Napoleon Buonaparté. For this purpose they engage, in the spirit of the Declaration of the 13th of March last, to direct, in common and with one accord, should the case require it, all their efforts against him, and against all those who should already have joined his faction, or shall hereafter join it, in order to force him to desist from his projects, and to render him unable to disturb in future the tranquillity of Europe, and the general Peace, under the protection of which the rights, the liberty, and independence of nations had been recently placed and secured.

Art. 2. Although the means destined for the attainment of so great and salutary an object, ought not to be subjected to limitation, and although the High Contracting Parties are resolved to devote thereto all those means which, in their respective situations, they are enabled to dispose of, they have nevertheless agreed to keep constantly in the field, each, a force of 150,000 men complete, including cavalry in the proportion of at least one-tenth, and a just proportion of artillery, not reckoning garrisons; and to employ the same actively and conjointly against the common enemy.

Art. 3. The High Contracting Parties reciprocally engage not to lay down their arms but by common consent, nor before the object of the war, designated in the first Article of the present Treaty, shall have been attained; nor until Buonaparté shall have been rendered absolutely unable to create disturbance, and to renew his attempts for possessing himself of the supreme power in France.

Art. 4. The present Treaty being principally applicable to the present circumstances, the stipulations of the Treaty of Chaumont, and particularly those contained in the 16th Article of the same, shall be again in force, as soon as the object actually in view shall have been attained.

Art. 5. Whatever relates to the combined armies, to supplies, &c. shall be regulated by a particular Convention.

Art. 6. The High Contracting Parties shall be allowed respectively to accredit to the generals commanding their armies, officers, who shall have the liberty of corresponding with their governments, for the purpose of giving information of military events, and of every thing relating to the operations of the armies.

Art. 7. The engagements entered into by the present Treaty, having for their object the maintenance of the general peace, the High Contracting Parties agree to invite all the Powers of Europe to accede to the same.

Art. 8. The present Treaty having no other end in view but to support France, or any other country which may be invaded, against the enterprizes of Buonaparté and his adherents, his Most Christian Majesty shall be specially invited to accede hereunto; and, in the event of his Majesty's requiring the forces stipulated in the second Article, to make known what assistance circumstances will allow him to bring forward in the furtherance of the object of the present Treaty.

Art. 9. The present Treaty shall be ratified, and the ratifications exchanged in two months, or sooner if possible.—In faith whereof, the respective plenipotentiaries have signed it, and affixed thereto the impression of their arms.

Done at Vienna, the 25th of March, 1815.

Wellington.
Le Comte de Rasoumoffsky.
Le Comte de Nesselrode.

Separate and additional Article.

As circumstances might prevent his Majesty the King of the United Kingdom of Great Britain and Ireland from keeping constantly in the field the number of troops specified in the second Article, it is agreed, that his Britannic Majesty shall have the option, either of furnishing his contingent in men, or of paying at the rate of *30l.* sterling per annum for each cavalry soldier, and *20l.* per annum for each infantry soldier, that may be wanting to complete the number stipulated in the second Article.

The present additional and separate Article shall have the same force and effect as if it were inserted word for word in the Treaty of this day. It shall be ratified, and the ratifications shall be exchanged at the same time.

In faith whereof, the respective plenipotentiaries have signed it, and have affixed thereto the impression of their arms.

Done at Vienna, the 25th of March, 1815.

Wellington.
Le Comte de Rasoumoffsky.
Le Comte de Nesselrode.

Declaration.

The undersigned, on the exchange of the ratifications of the Treaty of the 25th of March last, on the part of his Court, is hereby commanded to declare, that the eighth Article of the said Treaty, wherein his Most Christian Majesty is invited to accede, under certain stipulations, is to be understood as binding the Contracting Parties, upon principles of mutual security, to a common effort against the power of Napoleon Buonaparté, in pursuance of the third Article of the said Treaty; but is not to be understood as binding his Britannic Majesty to prosecute the war, with a view of imposing upon France any particular government.

However solicitous the Prince Regent must be to see his Most Christian Majesty restored to the throne, and however anxious he is to contribute, in conjunction with his Allies, to so auspicious an event; he nevertheless deems himself called upon to make this Declaration, on the exchange of the Ratifications, as well in consideration of what is due to his Most Christian Majesty's interests in France, as in conformity to the principles upon which the British Government has invariably regulated its conduct.

(*Signed*) CASTLEREAGH.
Foreign Office, May 18, 1815.

ADDITIONAL CONVENTION (concluded at Vienna, April 30, 1815) to the Treaty between his Britannic Majesty and his Majesty the Emperor of all the Russias. Signed March 25, 1815.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the Emperor of all the Russias, having agreed by common consent to regulate, by means of a particular Convention, which shall be added in the form of an Additional Article to the Treaty concluded at Vienna the 25th of March, the arrangements which have been judged necessary to give to the stipulations of the said Treaty all the effect requisite for the attainment of the great and noble end which their said Majesties have proposed to pursue, have named, in order to discuss, settle, and sign the conditions of the present Convention, his Majesty the King of Great Britain and Ireland, the right hon. Richard Le Poer Trench, Earl of Clancarty, Viscount Dunlo, Baron Kilconnel, one of his Majesty's most honourable Privy Council in Great Britain and also in Ireland, President of the Committee of Privy Council for the Affairs of Trade and Plantations, Joint Postmaster-General in Great Britain, Colonel of the Galway regiment of militia, Knight Grand Cross of the most honourable Order of the Bath, and one of his Majesty's Plenipotentiaries at the Congress; and his Majesty the Emperor of all the Russias, Andrew Count Rasoumoffsky, his Privy Counsellor, Knight of the Orders of St. Andrew, and of St. Alexander Newsky, Grand Cross of that of St. Wlodimir of the First Class, and his Plenipotentiary at the Congress; and Charles Robert Count of Nesselrode, his Privy Counsellor, Chamberlain, Secretary of State, Knight of the Orders of St. Alexander Newsky, Grand Cross of that of St. Wlodimir of the Second Class, Knight of the Supreme Order de l'Annonciade, Grand Cross of the Order of Leopold of Austria, of the Red Eagle of Prussia, the Polar Star of Sweden, and of the Golden Eagle of Wurtemburg, and his Plenipotentiary at the Congress: who, after having exchanged their full powers, found to be in due and proper form, have agreed upon the following

Article—His Britannic Majesty engages to furnish a subsidy of five millions sterling, for the service of the year ending on the 1st of April, 1816, to be divided in equal proportions amongst the three Powers, namely, between his Majesty the Emperor of all the Russias, his Majesty the Emperor of Austria, King of Hungary and of Bohemia, and his Majesty the King of Prussia. The subsidy above stipulated of five millions sterling, shall be paid in London by monthly instalments and in equal proportions, to the ministers of the respective Powers, duly authorized to receive the same. The first payment thereof to become due on the 1st day of May next, and to be made immediately upon the exchange of the ratifications of this present additional Convention. In case peace should take place, or be signed between the Allied Powers and France, before the expiration of the said year, the subsidy calculated upon the scale of five millions sterling, shall be paid up to the end of the month, in which the Definitive Treaty shall have been signed; and his Britannic Majesty promises in addition, to pay to Russia four months, and to Austria and to Prussia two months over and above the stipulated subsidy, to cover the expenses of the return of their troops within their own frontiers.

The present additional Convention shall have the same force and effect as if it were inserted word for word in the Treaty of the 25th of March.

It shall be ratified, and the ratifications shall be exchanged as soon as possible.

In faith of which the respective Plenipotentiaries have signed it, and have affixed thereunto the seals of their arms.

Done at Vienna, this 30th day of April, in the year of our Lord, 1815.

CLANCARTY.
LE COMTE DE RASOUMOFFSKY.
LE COMTE DE NESSELRODE.

[The Treaty with the King of Prussia is couched in the same terms as the above, and is signed "Wellington, Le Prince de Hardenbergh, Le Baron de Humboldt;" the Additional Convention is signed, "Clancarty, Le Prince de Hardenbergh, Le Baron de Humboldt."]

OVERTURE FROM BUONAPARTE.] Lord Castlereagh presented the following Papers to the House by command of the Prince Regent:

No. 1. Letter from M. de Caulaincourt to viscount Castlereagh, dated Paris, April 4, 1815.

My Lord;—The expectations which induced his Majesty the Emperor, my august Sovereign, to submit to the greatest sacrifices, have not been fulfilled; France has not received the price of the devotion of its Monarch: her hopes have been lamentably deceived. After some months of painful restraint, her sentiments, concealed with regret, have at length manifested themselves in an extraordinary manner: by an universal and spontaneous impulse, she has declared as her deliverer, the man, from whom alone she can expect the guarantee of her liberties and independence. The Emperor has appeared, the Royal Throne has fallen, and the Bourbon Family have quitted our territory, without one drop of blood having been shed for their defence. Borne upon the arms of his people, his Majesty has traversed France, from the point of the coast at which he at first touched the ground, as far as the centre of his capital, even to that residence which is now again, as are all French hearts, filled with our dearest remembrances. No obstacles have delayed his Majesty's triumphal progress: from the instant of his re-landing upon French ground, he resumed the government of his Empire. Scarcely does his first reign appear to have been for an instant interrupted. Every generous passion, every liberal thought, has rallied around him; never did any nation present a spectacle of more awful unanimity.

The report of this great event will have reached your lordship. I am commanded to announce it to you, in the name of the Emperor, and to request you will convey this Declaration to the knowledge of his Majesty the King of Great Britain, your august Master.

This restoration of the Emperor to the throne of France is for him the most brilliant of his triumphs. His Majesty prides himself, above all, on the reflection that he owes it entirely to the love of the French people; and he has no other wish, than to repay such affections no longer by the trophies of vain ambition, but by all the advantages of an honourable repose, and by all the blessings of a happy tranquillity. It is to the duration of peace that the Emperor looks forward for the accomplishment of his noblest intentions. With a disposition to respect the rights of other nations, his Majesty has the pleasing hope, that those of the French nation will remain inviolate.

The maintenance of this precious deposit is the first, as it is the dearest of his duties. The quiet of the world is for a long time assured, if all the other Sovereigns are disposed, as his Majesty is, to make their honour consist in the preservation of peace, by placing peace under the safeguard of honour.

Such are, my lord, the sentiments with which his Majesty is sincerely animated, and which he has commanded me to make known to your Government. I have the honour, &c.

CAULAINCOURT, Duc de VICENCE.

No. 2. Letter from M. Caulaincourt to viscount Castlereagh, dated Paris, April 4, 1815.

My Lord;—The Emperor was anxious to express directly to his royal highness the Prince Regent, the sentiments which inspire him, and to make known to him the high value which he places on the maintenance of the peace happily existing between the two countries. I am commanded, in consequence, my lord, to address to you the annexed letter, and to beg your excellency to present it to his Royal Highness.

The first wish of the Emperor being, that the repose of Europe should remain inviolate, his Majesty has been anxious to manifest this disposition to the Sovereigns who are still assembled at Vienna, and to all other Sovereigns. I have the honour to be, &c.

CAULAINCOURT, Duc de VICENCE.

No. III. Letter from Viscouut Castlereagh to M. Caulaincourt.

Downing-street, April 8, 1815.

Sir—I have been honoured with two letters from your excellency bearing date the 4th instant from Paris, one of them covering a letter addressed to his royal highness the Prince Regent.

I am to acquaint your excellency, that the Prince Regent has declined receiving the letter addressed to him; and has, at the same time, given me his orders to transmit the letters addressed by your excellency to me, to Vienna, for the information and consideration of the Allied Sovereigns and plenipotentiaries there assembled. I am, &c. CASTLEREAGH.

CORRESPONDENCE ON ALLIANCE AGAINST FRANCE.] Lord Castlereagh also presented, by command of the Prince Regent, the following

CORRESPONDENCE ON ALLIANCE AGAINST FRANCE.

No. I. Viscount Castlereagh to the Earl of Clancarty, dated Foreign Office, 8th of April, 1815.

My lord—I herewith enclose a copy of an overture this day received from M. de Caulaincourt, with the answer returned. You will communicate the same to the Allied Sovereigns and plenipotentiaries at Vienna, for their information.—I have the honour to be, &c.

(Signed) CASTLEREAGH.

No. II. The Earl of Clancarty to Viscount Castlereagh.

Vienna, May 6, 1815.

My lord—Adverting to your lordship's dispatch, No. 3, and to its several enclosures, conveying a proposal made by the existing Government in France, and your lordship's answer thereto, I have the honour to acquaint you, for the information of his Majesty's Government, that, at a conference held on the 3d instant, his highness Prince Metternich acquainted us, that a M. de Strassant, who had been stopped, on his way hither, at Lintz, from not having been furnished with proper passports, had addressed a letter to his Imperial Majesty, and therewith forwarded some unopened letters which the Emperor had directed him to unseal in the presence of the plenipotentiaries of the Allied Powers.

These proved to be, a letter from Buonaparté, addressed to his Majesty, professing a desire to continue at peace, to observe the stipulations of the Treaty of Paris, &c., and a letter from M. de Caulaincourt to Prince Metternich, containing similar professions.

After reading these papers, it was considered whether any, and what answer should be made thereto, when the general opinion appeared to be, that none should be returned, and no notice whatever taken of the proposal.

Upon this, as indeed upon all other occasions subsequent to the resumption of authority by Buonaparté, wherein the present state of the Continental Powers, with regard to France, has come under discussion, but one opinion has appeared to direct the councils of the several Sovereigns. They adhere, and from the commencement have never ceased to adhere, to their declaration of the 13th of March, with respect to the actual ruler of France. They are in a state of hostility with him and his adherents, not from choice, but from necessity, because past experience has shown, that no faith has been kept by him, and that no reliance can be placed on the professions of one who has hitherto no longer regarded the most solemn compacts, than as it may have suited his own convenience to observe them—whose word, the only assurance he can afford for his peaceable disposition, is not less in direct opposition to the tenour of his former life, than it is to the military position in which he is actually placed. They feel that they should neither perform their duty to themselves, or to the people committed by Providence to their charge, if they were now to listen to those professions of a desire for peace which have been made, and suffer themselves thus to be lulled into the supposition that they might now relieve their people from the burthen of supporting immense military masses, by diminishing their forces to a peace establishment, convinced as the several Sovereigns are, from past experience, that no sooner should they have been disarmed, than advantage would be taken of their want of preparation, to renew those scenes of aggression and bloodshed, from which they had hoped that the peace so gloriously won at Paris would long have secured them.

They are at war, then, for the purpose of obtaining some security for their own independence, and for the re-conquest of that peace and permanent tranquillity, for which the world has so long panted. They are not even at war for the greater or less proportion of security which France can afford them of future tranquillity, but because France, under its present chief, is unable to afford them any security whatever.

In this war, they do not desire to interfere with any legitimate right of the French people; they have no design to oppose the claim of that nation to choose their own form of government, or intention to trench, in any respect, upon their independence as a great and free people: but they do think they have a right, and that of the highest nature, to contend against the re-establishment of an individual, as the head of the French government, whose past conduct has invariably demonstrated, that in such a situation he will not suffer other nations to be at peace —whose restless ambition, whose thirst for foreign conquest, and whose disregard for the rights and independence of other states, must expose the whole of Europe to renewed scenes of plunder and devastation.

However general the feelings of the Sovereigns may be in favour of the restoration of the King, they no otherwise seek to influence the proceedings of the French in the choice of this or of any other dynasty, or form of government, than may be essential to the safety and permanent tranquillity of the rest of Europe: such reasonable security being afforded by France in this respect, as other states have a legitimate right to claim in their own defence, their object will be satisfied; and they shall joyfully return to that state of peace, which will then, and then only be open to them, and lay down those arms which they have only taken up for the purpose of acquiring that tranquillity so eagerly desired by them on the part of their respective empires.

Such, my lord, are the general sentiments of the Sovereigns and of their ministers here assembled; and it should seem, that the glorious forbearance observed by them, when masters of the French capital in the early part of the last year, ought to prove to the French that this is not a war against their freedom and independence, or excited by any spirit of ambition, or desire of conquest, but one arising out of necessity, urged on the principles of self-preservation, and founded on that legitimate and incontrovertible right of obtaining reasonable security for their own tranquillity and independence—to which, if France has on her part a claim, other nations have an equal title to claim at the hands of France.

I this day laid before the plenipotentiaries of the three Allied Powers in conference, the Note proposed to be delivered upon the exchange of the ratifications of the Treaty of the 25th March. After the opinions which I have detailed as those with which the Allied Sovereigns are impressed, with respect to the object of the war, it is scarcely necessary for me to add, that the explanation afforded in this Note, as the construction put by his royal highness the Prince Regent on the eighth Article of that Treaty, was favourably received. Immediate instructions will consequently be issued to the ambassadors of the imperial courts of Austria and Russia, and to the minister of his Prussian Majesty, to accept of this note on the exchange of the ratifications of the Treaty in question.

In order to be assured that I have advanced nothing in this dispatch which does not accord with the views of the Cabinets of the Allied Sovereigns, I have acquainted the plenipotentiaries of the High Allied Powers with the contents thereof, and have the honour to inform you, that the sentiments contained in it entirely coincide with those of their respective Courts.—I have the honour to be, &c. *(Signed)* Clancarty.

Stamp Duties.] The Chancellor of the Exchequer moved the order of the day for the further consideration of the report of the New Stamp-duties.

Mr. *Grenfell* inquired whether any, and what composition had been made with the Bank, for the privilege they enjoyed of issuing notes without any stamp whatever?

The *Chancellor of the Exchequer* said, that a negociation had been entered into on this point, but that no specific arrangement had as yet been made.

Lord *Lascelles* hoped the right hon. gentleman did not mean, without mature consideration, to persist in the proposed scale of Stamp-duties. Some of them, he thought, would rather injure than benefit the revenue. He conceived the additional duty on advertisements to be of that description.

The *Chancellor of the Exchequer* said, that, with respect to the branch of Stamp-duties to which the noble lord alluded, as well as some others, which he had not yet been able to investigate with sufficient attention, he did not mean to bring them forward on the present occasion. There were several other points connected with the Stamp-duties, to which he intended to propose a number of verbal amendments. If the House generally wished the consideration of this subject to be postponed, he would accede to their feeling; since he was sure the intermediate time would be usefully employed in the collection of information from without doors.

Sir *M. W. Ridley* thought the additional duty on advertisements would have an effect exactly contrary to what the right hon. gentleman seemed to expect.

Mr. *J. P. Grant* observed, that the duty on law poceedings in Scotland, would do away all actions for small debts. The expense would be so great, that no person would originate an action in the Court of Session, unless for sums of great magnitude.

Mr. *Horner* was surprised that the right hon. gentleman should think of increasing the Stamp-duties on the law proceedings of Scotland, particularly as they were already so extremely heavy in that country.

Sir *S. Romilly* declared, that the proposed increase would operate as a total denial of justice to the inhabitants of Scotland, where law proceedings were already so extremely expensive, and where, in particular, it should least be imposed. The effect would be to render litigation an instrument of vengeance in the hands of the rich to oppress the poor, as none but the opulent could support the weight of law-suits.

The *Chancellor of the Exchequer* spoke in a low tone of voice, but we understood him to recommend an assimilation of the Stamp-duties in Scotland with those of England.

Sir *J. Newport* deprecated such a determination, which was not justified by the peculiar circumstances of the two countries.

Mr. *J. P. Grant* said, that from the nature of the law proceedings in Scotland differing essentially from those in England, an assimilation of the Stamp-duties would be an extreme hardship to the former. He therefore entreated the Chancellor of the Exchequer to postpone the consideration of the question, and inform himself, by means of the law officers of the crown, on the true state of the case.

Mr. *Horner* desired to know how the money to be derived from such a measure would be employed, and whether it was intended for the increase of the salaries of the law officers? He understood that the salary of the Lord Advocate of Scotland was lately raised to 3,000*l.* per annum, and that of the Solicitor General for Scotland to 1,600*l.*; he desired to know whether the report of such a misapplication of the public money was correct?

The *Chancellor of the Exchequer* replied, that the report was correct, as the former salaries of those officers did not seem adequate.

The Report was ordered to be re-committed on Friday.

HOUSE OF LORDS.

Tuesday, May 23.

Address on the Prince Regent's Message relating to France.] The order of the day for taking into consideration the Prince Regent's Message being read, the Message was read by the clerk at the table. After which,

The Earl of *Liverpool* rose and observed, that when he stated that the question he was about to submit to their lordships' consideration was that of peace or war, it was unnecessary to say more to convince them that the subject was the most momentous that could possibly come before them for discussion and determination: but, momentous as that question was at all times, and under any circumstances, he was ready to admit, that at this particular period it was more peculiarly important and awful. Deeply feeling, as he did, that war was an alternative always to be avoided if possible, that urgent necessity alone could justify any government in having recourse to it, and that the existence of such a necessity was ever to be seriously deplored, he was aware that, independent of these considerations—independent of the general desire that ought always to prevail to avoid that extremity, there were circumstances which rendered the alternative of war more peculiarly to be deprecated. After the protracted course of hostilities in which this country had been engaged, after the years, the long series of years, in which we had been driven to carry on the contest almost without intermission, when at length the period arrived which promised the nation a secure and glorious rest from its toils, when the tempest which had convulsed the civilized world to its foundation had at last subsided, and left behind it the animating prospect of a long and peaceful serenity to repair its ravages; it was undoubtedly most deeply to be lamented that any thing should have occurred to destroy these hopes of tranquillity, and compel us again to have recourse to arms, and to renew the contest against that power and that system which had been the parent of such tremendous calamities. He himself was deeply impressed with this feeling, and he was sure the House must be impressed with the same feeling, that after an incessant struggle of between 23 and 24 years, after the convulsions which had agitated the nations of Europe, the changes which had taken place in the relations and habits of the different states owing to these perpetual wars, it would have been an object most devoutly to be wished, that some respite, some few years of repose should be vouchsafed to the exhausted nations, that some time should be allowed them to recover from the fatigue of their exertions, to recruit their strength, to repair their resources, and to return to the habits and comforts of peace and tranquillity. He had no difficulty in saying, that no secondary object, no minor concern, no common danger or inconvenience could, under these circumstances, form a justifiable ground for the revival of this already long-protracted and eventful contest. It would have been wise to endure much, to risk much, to put up with no small degree of inconvenience, and even injustice, as far as that could be submitted to with honour, in order to secure the blessings of repose. If the state of things in France had been settled in such a manner as to afford any reasonable security for the continuance of peace, without the most imminent danger of destruction to the independence of the other nations of Europe, even though they were not settled in that way which might be considered as most favourable to the particular interests of France itself, as well as to the general interests of Europe, he should say that under the circumstances in which this country and many of the continental Powers stood, hostilities ought not to be re-commenced. He thought it right at the outset of the observations which he had to submit to their lordships, thus to state openly and fairly what his impression was as to the general principle; and he did so in order to show that he was not insensible to the disadvantages of engaging in war at any time, and more particularly at the present moment: but the question now was, whether from the long and lamentable experience which we had had of the system which had been invariably pursued by the Government now existing in France, they could entertain any reasonable hope whatever that treaties would be regarded, or that violence and aggression would be refrained from for a longer period than that which would be necessary effectually to prepare the means for the renewal of the same course which had already brought upon Europe such dreadful calamities. The question now was, whether it was possible for us to remain at peace, and to enjoy the advantages of peace. It was the duty of their lordships undoubtedly to deliberate well, before they yielded to the conviction, that the awful necessity existed of again engaging in war, and adding to those burthens which war had already laid upon the country. Their lordships would take care not to give their sanction to the revival of hostilities, if the evils of war could be avoided consistently with the honour and safety of the nation. Such being his own feelings as to that view of the question, he was ready at the same time to declare his opinion on the other hand, that, if the circumstances of the case were such that it was impossible to rely for a moment on the disposition of the existing Government of France to refrain from aggression, so as to permit this country to enjoy the advantages of peace with safety, then no impolitic love of repose should deter us from boldly looking at our real situation, and manfully meeting the difficulty, even if it could only be met by war.

Having submitted these observations as to the motives which in his judgment should influence the general views of the House upon any question of war, he had now to request their lordships' attention to the grounds upon which this particular question was proposed for their consideration. First, then, as to the justice of the war referred to in the Message; and this justice was to be viewed with reference to the character of Buonaparté, as well as with regard to the nature of our relations with our Allies. If former discussions were within the recollection of the House, if the conduct of Buonaparté were not altogether forgotten, he could not feel that it would be at all necessary to labour this part of the question. Yet there were some points from which he could not properly abstain with reference to Buonaparté, especially when it was considered, that the present state of things in France, which obliged us to resort to the alternative of war, was owing to that individual's resumption of the Government, in direct violation of the express provisions of a solemn Treaty. He was aware, that it had been alleged that this Treaty was violated towards Buonaparté himself; but even if that allegation were correct, he was prepared to maintain that it would not justify the conduct of that person. Into the merits of that allegation, however, he was not on this occasion disposed to enter; but, admitting the fact of the violation, still he would contend, that, according to no established principle of political morality—according to no writer upon the law of nations, was Buonaparté justified in violating his Treaty with the Allies, for they could not be even stated to be any party to the alleged violation towards him. Of that violation, indeed, they were not apprised, until Buonaparté's obligations towards them were totally set aside, and therefore the violation since complained of on his part, offered no justification for his conduct with respect to them. If any representation had been made to the Allies by Buonaparté, before his departure from Elba, upon the subject of the violation complained of, and he had not in consequence obtained any redress, then he might have preferred a charge against the Allies, and pleaded that charge as some justification of his own departure from the contract. But, in point of fact, no such representation was made; and, therefore, as it was not the existence of injury, but the refusal of redress, which, in a case of this nature, could constitute any fair ground of complaint, the alleged violation of the Treaty with Buonaparté could furnish no justification for his breach of Treaty with the Allies. But the fact was, that although this alleged violation of Treaty with Buonaparté had been so much animadverted upon in France, and elsewhere, since that individual's departure from Elba, that person himself never mentioned or alluded to any such reason for his conduct in any of the proclamations which he published upon his first invasion of the French territory. On the contrary, he distinctly stated in these proclamations, that he returned to France in order to resume the authority from which he had withdrawn in a moment of difficulty. Thus no allusion whatever was made to that violation of Treaty, which had been since set up by his partisans as a justification for the conduct of Buonaparté in returning to France. But it was his firm opinion, that Buonaparté had no such justification in his view when he returned to France. On the contrary, he fully believed that that person had always that return in contemplation, even including the time when he executed the Treaty of Fontainbleau and signed his abdication. Buonaparté in fact disregarded any such justification. He had deliberately determined to violate the Treaty under which he abdicated; and in returning to France, he had committed that violation, not in any minor or comparatively unimportant provision, but radically and essentially in its very spirit and principle, and that without any defalcation whatever on the part of the Allies towards that individual.

In order to comprehend the principle of the Treaty thus violated by Buonaparté, he had only to call their lordships' recollection to the transactions which took place at Paris in the months of April and May 1814. From those transactions, the grounds upon which Buonaparté abdicated, could be easily understood. But before the Allies entered Paris a proclamation was issued, declaratory of their resolution not to treat with Buonaparté. He did not think it necessary to enter into any defence of the conduct of the Allies at Paris; but it would be recollected, that Buonaparté's *déchéance*, or forfeiture of the throne of France, was proclaimed to be the fundamental condition of peace with France. This condition was, indeed, distinctly stated in the preambles to the two Treaties concluded at Paris in 1814, because the maintenance of that condition was felt to be essential to the security of peace, and upon the establishment of this condition the Allied armies consented to evacuate France. From these documents, then, and from a review of the whole of the proceedings alluded to, it would be seen that the exclusion of Buonaparté from the Government of France was the main principle of the Treaty by which that person and France were pledged to the Allies. Upon the recognition of that principle indeed, and the restoration of the Bourbons, the Allies granted much better terms to France than would otherwise have been conceded; and this grant was made under the calculation, that the change would afford such a security for the observance of the Treaty and for the general tranquillity of Europe, as could not be looked for under the Government of Buonaparté. But from the whole bearing of these transactions, as well as from the specific terms of the Treaty of Fontainbleau, it must be obvious, that the fundamental principle and main object of the Allies was the dissolution of the Government of Buonaparté. This dissolution, then, was not a minor or a subordinate part of the Treaty, but formed its very essence; and therefore Buonaparté, by his return to France, fundamentally violated his Treaty with the Allies. Thus, that individual had absolved the Allies from all obligation towards him, and furnished a full justification for placing themselves in a state of war with regard to France.

So far as to the justice of the war against France, upon which he trusted he had satisfied the House; but, then, another question remained to be considered, namely, whether the war would be just with regard to this country, that is, with reference to the interest of our own subjects. With a view to this branch of the subject, it would be for their lordships to decide this question, whether the war was necessary on our part. That it was necessary under all the circumstances of our situation—that the case formed a paramount call upon us to engage in war from a sense of our dearest interests—from a regard to our security and our honour, was his fullest conviction; that, indeed, that security and honour could not be provided for, nor the danger with which we were menaced effectually averted without opposing the common enemy, he had not the slightest doubt. The first question which naturally occurred to every thinking mind upon Buonaparté's return from Elba and his resumption of the Government of France, was this, whether there could be any security for peace with that country, so long as that individual retained his power? and if not, the next question was, whether it would be safe or politic to delay our attack upon that power? As to the first question, we had the melancholy advantage of long experience to guide our judgment. We had ample opportunity of observing this person's conduct for fourteen years. We were not called to decide upon his character from any ordinary act of ambition or instance of misconduct. No—for we had witnessed, on the part of this individual, decisive proofs of the most unbounded ambition—we had found that no Treaty concluded by this person was observed for a moment longer than it suited his convenience—that every engagement entered into by him was violated—that he was a man whom no success could satisfy, and whom no disappointment could indispose towards that system of aggrandizement upon which his mind was bent, and which was evidently inconsistent with the tranquillity and general liberty of Europe. When the French Revolution took a turn towards foreign conquest—when vanity prompted the Revolutionists to declare what they presumptuously called the natural limits of France, extending to the Alps, the Pyrenees, the Rhine, and the Ocean, it was the good fortune of Buonaparté to become the instrument for gratifying this extraordinary pretension, by concluding the Treaty of Luneville. By this Treaty every reflecting man in this country was naturally alarmed; for such an extension of territory formed a just cause of alarm—but the avowed object of French ambition being accomplished, some calculation was entertained of future tranquillity. What, however, was the subsequent conduct of the maker of the Treaty of Luneville? By that Treaty, the independence of the Cisalpine, the Ligurian, the Batavian and Helvetic Republics was solemnly recognized; but, notwithstanding that recognition, this systematic violator of treaties invaded all these Republics, and either actually incorporated them with France, or placed them in a state of dependence upon his own power. It was impossible, then, for Europe to look to such a man for the observance of any treaties or contracts. But, independently of the conduct of Buonaparté in those instances—independently of what Holland and Italy had suffered through his violation of faith, let their lordships look to his proceedings throughout, and it would be found, that no degree of friendly adherence, or even servile submission, could conciliate his fidelity or gratify his ambition. Let their lordships look to Spain, where he had experienced, in fact, the most abject subserviency, where all the naval and military force of the country had been actually placed at the disposal of France: yet those circumstances were not sufficient to neutralize the system of Buonaparté; therefore a revolution was excited through his machinations, by which the Government was overthrown, and the present King placed upon the throne of Spain. But let their lordships look to his subsequent proceedings, even to the Government of his own contrivance. The members of that Government were by his treachery seduced into and committed to prison in France, while his army was dispatched to invade Spain. Thus it was evident, that neither friendship nor submission could disarm the purpose or avert the arbitrary views of this individual. It was not with him "Parcere subjectis et debellare superbos;" for he bore down on all alike, whether weak or strong, submissive or hostile. From the whole of his acts, indeed, it was obvious that the desire of power, and a thirst for dominion, formed this person's predominant passion, to which passion every consideration of morality and good faith was unreluctantly sacrificed. Who, then, could entertain a doubt, that a state of peace and the existence of the government of such a man were utterly incompatible?

If the view which he had taken of the conduct of this individual previous to his abdication were correct, he would ask, whether any thing had since occurred that could induce a rational calculation that any change had taken place in his disposition—that his nature had been altered? It was clear, that those by whom Buonaparté was aided in the resumption of the Government of France did not calculate upon any such change. But it was said, that this individual returned to France in consequence of the call of the nation. This, however, he was by no means prepared to admit; on the contrary, his opinion was, that Buonaparte's resumption of power was seconded only by the soldiery, together with such discontented persons as were to be found under any government whatever. But there was every reason to believe that the nation at large was contented with the government of Louis 18, under which government they had certainly much better reason to look for liberty and happiness than could be expected under that of its predecessor. The French army, however, had different views; that army felt that its thirst for glory and plunder was not so likely to be gratified under the Government which Buonaparté was called upon to displace. The soldiers preferred a military chief, because they wished for a military government—because they knew that the principles of that chief and his government would better serve to gratify their ambition. The age of Buonaparté had, however, he had heard, been stated as a reason to warrant the calculation of a material change in his disposition and practice, as if the addition of two years to the age at which that individual invaded Moscow could be supposed to effect such a change; and what was the evidence of his disposition then? Ambition was at all times a crime, although sometimes it proceeded from the excess of very noble and generous sentiments—although it sometimes existed in that heat and fervour of youth which the soberness and coolness of age generally served to moderate or subdue. But, taking into consideration the events which Europe had witnessed for the last fourteen years, considering the whole career of Buonaparté, was it possible to calculate upon such a change in the disposition of a man, who, after signing a solemn act of abdication and entering into a treaty with the Allies, within the last year returned to France, in violation of his plighted faith? Who could calculate that such a man was so altered that his ambitious views were abandoned, that he would be satisfied with the mere government of France if he had the means of extending his power, and that the world could safely look to such a man for the preservation of peace?

But it was said, that a limited government being now established in France, we might look to that government for the security of peace, although we could not expect any security from the disposition of Buonaparté himself. This, however, he could not help pronouncing quite an absurd speculation: first, because no such limited government was established; and secondly, because if it were, he could by no means calculate upon its stability or power to control the wishes of Buonaparté. As to the establishment of a limited government in France, he had no hesitation in stating it as a general proposition, that however happily such a government was found to work in this country, great difficulty would be found in the application of its principles to France. But whether this proposition were well founded or not, he could not think it reasonable to speculate, that any such government in France would be at all likely to impose any material control upon the will of its present ruler, who notoriously derived his authority from the sword—from that, in fact, by which he would endeavour to maintain that authority, and to secure the support of which, he would be obviously called upon to indulge in views of conquest and ambition. Whatever hopes might be entertained of the establishment of a popular or limited government in France, which would place the sword in its proper station, under the united and paternal sway of Louis 18, whose restoration was therefore peculiarly desirable for the interest of the French people; it was quite preposterous to look for such a government under its present ruler, with whom it was evident that the sword must be predominant.

Under all these circumstances, he was decidedly of opinion that Europe could not look for the security of peace while Buonaparté presided over the government of France. But it was said, that even admitting the existence of the danger attributed to Buonaparté's resumption of power, and the little probability under such circumstances that peace could long continue, still a trial should be made in order to avoid the great calamities of war—that it would be better to make even an experiment upon peace, than to incur the certain evils of war. That danger arose out of the return of Buonaparté to France, could not now be disputed: for the existence of that danger was distinctly admitted in the terms upon which the Address, in answer to a former Message from the Prince Regent, was agreed to by all sides of the House. This danger, indeed, formed the ground upon which that Address was voted, and therefore he had this night no occasion to argue, that great danger and risk were produced by the event alluded to, against which it was admitted on all hands that it was necessary for this country to make warlike preparations. Nothing had since occurred to warrant any change in the sentiment of the House, unless their lordships could rely upon the mere word of Buonaparté, which reliance the noble earl said he assumed to be quite impossible; therefore the House had now only two alternatives, either war or a state of warlike preparation. Then, the question was, whether their lordships would remain in that state of preparation and consequent alarm, taking the chance of peace, or resort to the alternative of actual war? Whether their lordships would determine to engage in war at present with a reasonable prospect of success, or make a trial of peace, and postpone the war to another period when that prospect might disappear? In considering this question, there was a material feature in existing circumstances, to which he begged particularly to direct their lordships attention. Fortunately for the cause of Europe, Buonaparté had returned to France while the Allies were assembled in deliberation at Vienna, before any of the Allied Powers had placed their forces upon a peace establishment, before any measures had been taken which could render a concert or co-operation of the European Powers a matter of difficulty. We had the satisfaction to know the sentiments of the several Powers of Europe, and that they were all actuated by one mind upon the present emergency. The question then was, whether, under such circumstances, we should at present make an effort to remove the admitted danger of Buonaparté's government, or by delay let that individual have an opportunity of establishing his power within, of recreating his army and repressing any discontent or disposition to resist him, which may prevail in France, while the Allies should return to their respective dominions, and possibly or probably reduce their armies to a peace establishment? Thus, by waiting, Buonaparté would be enabled to collect and organize his means, while the means of the Confederacy would be dispersed and become very difficult again to be collected when war might become unavoidable; and that man must be lost to all experience who could calculate that Buonaparté would hesitate to strike the blow when his means should be prepared, and when he was likely to find the object of his attack unprepared to meet him. Few cases, if any, had occurred in history in which such a formidable confederacy existed as the alliance at present presented; and would their lordships hesitate to aid that confederacy against a great danger—against a danger admitted by their own unanimous vote? All who recollected the history of the late war, must be aware of the unsuccessful efforts made to repel the common enemy; and why were those efforts unsuccessful? Because we had not been able, until a late period, to produce a general confederacy of the great Powers of Europe. Some of these Powers had no doubt made great and glorious efforts in the common cause, while others, however, declined to cooperate, or were not, perhaps, prepared to act. It was known to their lordships, that some of the greatest statesmen this country had ever produced, had long laboured to procure a confederacy of the states of Europe, to resist the alarming views of the French government. Yet it was not until the year 1813 that this desirable object was obtained, and that confederacy was found to be successful. With those examples in their recollection—with that confederacy still existing—and with the danger which it had before put down again revived—would their lordships agree to the dispersion of that confederacy, and thus afford an opportunity for the aggravation of the danger, rather than make a prompt and decided effort against that danger, with such means as might never again be collected, especially where a justifiable cause of war existed? France had violated the fundamental principle of the Treaty of Paris, and had established a government inconsistent with the peace and tranquillity of Europe. We had now an opportunity of suppressing that government; and if we forego that opportunity, a similar one might never occur again. We had such a danger to apprehend, as would justify us in making use of our strength to provide for our permanent security.

In this great subject, which embraced so many questions, there remained one which it would not be just to pass over—he meant the objection which might be raised against the commencement of war at present, because, at the time of the negociations of Chatillon, in March 1814, this Government and his Majesty's Allies were willing to have made peace with the present ruler of France. Such, he admitted, was the disposition of the Allied Powers at that time, and their conduct on that occasion he was prepared to justify. It was, in the first place, to be recollected, that not only was the present ruler of France at that time the undisputed Sovereign of that country, but before the occupation of Bordeaux by the British troops, no manifestation whatever had been made in the interior of France to resist his power. All the circumstances of peace with him had been at that time fully considered by the Government of this country and by the Allied Powers; and to that extent had the consideration been carried, that instructions had been sent to his noble friend (lord Castlereagh), who was employed in those negociations, in certain contingencies to raise a question as to the title of Napoleon Buonaparté to the government of France. But at the time alluded to (March 17, 1814) the question was one of undisputed possession; while at the present time there was every reason to believe, that great part of the people of France were adverse to him. The absence of any internal resistance at that time might have been enough to justify the Allies in concluding a peace with him; but if the question had rested on that alone, they might have thought it expedient to continue further their military operations. But it was not only on his undisputed sovereignty in France, but on other considerations of prudence and policy that the Government of this country and its Allies were influenced in their conduct towards him; for though it was perfectly true that the troops of this country, under own great Commander, and the other Allies, had performed the most brilliant achievements—though they had expelled the armies of the enemy from Germany and entered into the heart of France, it was never to be forgotten (and without this point we could never duly consider the question), that the ruler of France was then in possession of the military holds of the rest of Europe—Alexandria, Mantua, Turin, and even Genoa, the fortresses on the Rhine, the principal strong places on the Elbe, Maestricht, Antwerp, Bergen-op-Zoom—in short, all the principal fortresses of Italy, Germany, Flanders, and Holland, were in his possession. There was a great deal of laudable feeling, which might sometimes degenerate into passion, on the subject of treating with Buonaparté at that time; but those who coolly and prudentially considered the risks and dangers at that time, must have seen that any great calamity which had befallen the Allies, any great turn of fortune in favour of Napoleon, would not only have had the effect of delivering France, on which the Allies had no hold, but would have again placed all the West of Europe under his power and domination. As it had been said of the Netherlands, that they were won by one victory and lost by one defeat, so a victory at that time, would have given Buonaparté military possession of any part of Europe, and he might have pursued his operations at his will in Italy, Flanders, Germany, or Holland. Important, therefore, as was the overthrow of the power of Buonaparté, the Allies did not feel themselves justified in sacrificing the greater danger to the less, but thought it more advisable to make peace on the terms which they proposed, by which they would have obtained possession of all the fortresses of Italy, Germany, and Holland, than have incurred the risk of a reverse, which might have been attended, at that time, with consequences so immediate and so dreadful. This consideration, added to the circumstance, that Buonaparté possessed the undisputed sovereignty of France, was a justication of the proceedings of the Allies in that instance, neither of which justifications existed at the present moment.

An important consideration in the question of war and peace at the present time, was the chance which we had of success. To this he could merely answer, that whatever was our chance of success, we should never find a confederation more strong, more zealous, or more united, than that of which we formed a part; and that if this confederation was dissolved, there was no prospect that such an alliance could ever be again formed. He should also observe, that he should not have fulfilled his duty, according to his own conception of it, if he had presented himself to the House without having consulted the greatest military characters of the different Allied Powers, as to the prospect of success with the means which would be placed at their disposal; and the result was, that though the event of every war was uncertain and in the hands of Providence, yet as far as human means, dispositions, and judgment could go, we might rely on success. His own confidence alone, however strong it was, as well at present as during the late contest, which confidence had been justified by the result, would have been an insufficient ground for the judgment of the House to rest on; but in the opinions of all the great military characters of the Allied Powers their lordships might confidently rely. But they were also to inquire what alternative was proffered them? None other but an armed peace—a feverish state of suspense, to which that repose and tranquillity which had formerly been held synonimous with peace, would be foreign. They had to look to a peace with a war establishment—a state not the less calamitous, because this country had had experience of it. It was not to be denied, that there were circumstances in which an armed peace would be preferable to war; such circumstances had existed, and he might have preferred such a course in the present instance, if the Allied Powers were not prepared for war, or were indisposed to enter into it. In these cases, notwithstanding the great inconveniencies of a state of armed peace, he should have preferred it to war, and should have waited for more favourable times. But the question was before them now, not while the Allies were unprepared, unripe, and divided, but when one sentiment prevailed among them in favour of war. That resolution having been come to, the present was the moment to strike effectually. We had now the means to avert the danger; but if we delayed to strike, the danger would continue, but our means would cease to exist.

With regard to economy, he, as much as any man, was disposed to give full weight to that consideration; and if the state of our finances was of importance at any time, it was of the greater importance while the arrears of a former war remained unpaid. The true question, however, was, whether we should commence the contest at the present moment, or under circumstances which must arise out of a long continuance in a state of armed peace? Peace, with a peace establishment, no man could now think of; but if we were to have the expenses of war in peace, and in the end be obliged to enter into active war, we should find, in a few years, that such a course would be as little wise on principles of economy as on every other principle which he had developed. If there was a question of which all the branches should be fully considered before a decision was come to, it was the present. He had before stated, in answer to a question which had been put to him, that it was not the desire of the Prince Regent's Government to goad the Allies into a war. When he had stated that disposition, it was not from any doubt as to the policy which it was proper to pursue, but lest it should be imputed to his Majesty's Government, that they had taken advantage of the first feeling of the Allies to hurry them to a decision which they might have afterwards regretted, or to precipitate them into hostilities which they might afterwards have wished had been avoided. So contrary to this had been the conduct of the Government, that even after the Allies had seemed to have decided, when circumstances had occurred which might have made a difference in that decision, his Majesty's Government was anxious that the former judgment should be reconsidered under those new circumstances; not that they supposed it would alter the decision, nor from a doubt that their first impressions were well founded, but in order that a war, which must be attended with such serious consequences to one or other of the contending parties, might be entered upon after a most mature consideration of all the circumstances. The contest, the commencement of which he should that night call on their lordships to sanction, was one which had been entered into from the best motives, and under the best auspices. Wars were at times commenced for purposes of ambition, under the pretence of security, or specious pretexts with some other name. But the present contest, he believed he could speak for all the Allied Powers, but most certainly for Great Britain, was entered upon from no idea of any other interest than the general peace and security of Europe. There was no desire on the part of any of the confederates to see the power of France abridged, to curtail her dominion, or to diminish her resources; their only wish was to see a Government established, which might afford to Europe and the world a possibility of remaining at peace. As to the re-establishment of the Bourbons in that country, he acknowledged it was an object dear to his heart, not only on principles of feeling, which he was not ashamed to avow, but because it would afford the best chance of repose to Europe. During the negociations at Chatillon in the last year, there was no manifestation of sentiments in France against its present Ruler, and in favour of the family of the Bourbons, but at the present time he had the best reason to believe, that a great majority—that three-fourths of the people of France were desirous of the return of their King. As far as could be collected from the evidence of the best informed persons, the South, the West, and the North of France were completely in favour of the family of the Bourbons. With a knowledge of this fact, and with the full conviction that the general security of Europe would be best consulted by the re-establishment of Louis 18, he should be ashamed if he did not avow, that he sincerely wished for that event. But at the same time he acknowledged, that no government had a right to dictate to another country what government it should choose. If it was the deliberate opinion of a people to reject any particular government, there was no power which could interfere to force them into subjection to it. But the nations of Europe had a right to interfere to overthrow a government, the establishment of which might be inconsistent with their peace and security. The nations of Europe could say to France, not what government she should have, but what she should not have. The distinction was clear and self-evident; and the right was manifest, more especially when the conditions of peace had been more favourable on account of the establishment of a government, the good faith and character of which enabled Europe to look forward to tranquillity and repose. The sentiments of the Alliance on this point were most unanimous, and were most ably stated in the dispatch from lord Clancarty, which he had last night had the honour of communicating to the House. The question which their lordships should put to themselves on the present occasion was, Whether there could be any prospect of peace with the present Government of France: or whether to the removal of that Government alone we could look forward for security? The co-operation of this country in this great work was most important; and if their lordships conceived that the alliance was founded on just principles of policy, they could not wish that this country, from principles of selfish policy, should take on itself all the odium and responsibility which it would incur, from an unwillingness to join in the great work of crushing the greatest evil which had existed within the memory of man. It was not on calculations alone, which in ordinary cases governed human policy, that the present contest was founded; but on a sentiment of common sense, by which every man must have said to himself—"While this state of things remains, I cannot be safe." Such must be the feeling of all classes of men in every nation. Such was the ground of a war which was to be carried on by means which had already done so much,—by an alliance by which Europe had once been delivered, and a peace concluded which had once afforded a fair prospect of durability. The great work was once more to be commenced; and the event, he trusted, would be the tranquillity of Europe, the peace of nations, and the establishment, on a firm basis, of their rights, their liberties, and their independence. The noble earl then concluded with moving,

"That an humble Address be presented to his royal highness the Prince Regent, to return his Royal Highness the Thanks of this House for his most gracious Message, by which his Royal Highness has been pleased to inform us, that in consequence of the events which have occurred in France, in direct contravention of the Treaties concluded at Paris in the course of last year, his Royal Highness had judged it necessary to enter into engagements with his Majesty's Allies, for the purpose of forming such a concert as present circumstances indispensably require, and as may prevent the revival of a system, which experience has proved to be incompatible with the peace and independence of the other nations of Europe.

"To make our acknowledgments to his Royal Highness, for having directed copies of the Treaties which have been concluded to be laid before us; and to assure his Royal Highness, that he may confidently rely on the cordial support of this House, in all measures which it may be necessary for his Royal Highness to adopt in conjunction with his Majesty's Allies, against the common enemy at this important crisis."

The question having been put,

Earl *Grey* rose and said:—My lords; After a speech abounding in assertions, but very sparing of every sound and general view of those political considerations which should govern the decision of a British House of Parliament on the very important question which is this night to be submitted to its judgment; after a speech replete with confident anticipations of success, but not containing one single view of the opposite side of the question, and which has not contemplated the possibility of danger or of reverses, and which at last ended with a new principle in the discussion of grave questions of policy—an assertion that it is a question of feeling; the noble Earl has proposed an Address which merely re-echoes the Message from the throne. My lords, I hardly know how to describe the extraordinary situation in which the House and the country is now placed. The terms of the Message, and of the Treaties to which it refers, would seem to indicate that our situation is that of actual war, and that the vote which is this night proposed to us is called for to sanction the immediate commencement of hostilities. But in answer to a question put by me last night, we were told by the noble earl, that hostilities are not yet commenced, and that though treaties are concluded, and have been communicated to your lordships, by which the present Ruler of France is described as a person with whom there can neither be peace nor truce; and though those declarations are sanctioned by which he is described as an outlaw—as a person against whom the arm of the law should be stretched forth, and even as a man against whom public vengeance may by any individual be directed; yet, not only hostilities are not commenced in their ordinary form by the issue of letters of marque and reprisal, but that we are so little in a state of war, that vessels on their passage to supply with ammunition and provisions of war, places against which our attacks are to be directed, after having been detained, have been released from the ports of this country. I ask, then, in what new situation are we to be placed? Are we to sanction these treaties which contain a declaration of war, without a possibility of truce or peace, and to leave it to the discretion of the Executive Government to act, or not to act, as they may think expedient, upon this tremendous declaration? The noble earl has also told us, that the ratification of the Treaty with Austria has not yet arrived, though he has at the same time assured us, that there is no doubt but that it will be shortly received. He has alluded, in support of his assertion, to the dispatch of lord Clancarty; and I admit, giving credit to that dispatch, that there is every reason to believe that the ratification will not ultimately be withheld. But until that ratification is received, the faith of Austria is not ultimately pledged; and if by any unforeseen accident or calamity her views should be altered, or her means impaired, she would still be at liberty to retrace her steps. This, I admit, is not probable, though possible; nor is it a possibility which I much contemplate, though it certainly heightens the extraordinary situation in which we are placed, on the first declaration of an interminable war, under the circumstances which have been stated to your lordships.

This, however, is a very unimportant part of the question, and I proceed to the consideration of those gronnds which the noble earl has brought forward to influence our decision. Those grounds are comprehended in two points—the first as to the right, the last as to the expediency of the commencement of a war—a fair and just division, by which the consideration of every question of this kind should be arranged. The first point, as to the right of going to war, the noble earl was pleased to take advantage of something that was said on a former occasion, to consider as one which it was not necessary for him to labour at any considerable length; and I must say that he has by no means satisfied me as to that question of right. He has stated that which is undeniably true, that all just wars must be undertaken in self-defence. It is not sufficient that we have a claim upon an enemy, but we must show that it is necessary to our security that we should enforce it; and if we add the qualification of justice to necessity, and say that a war is just and necessary, we must not use those attributes in a disjunctive sense—for 'justum bellum quibus 'necessarium, et pia arma quibus nisi in 'armis nulla relinquitur spes.' I allow, that it is not incumbent on those who commence a war to show that they had no alternative but war, or immediate inevitable destruction. But, on the other hand, if the danger be remote, it should be clearly shown, that if it be not in time proceeded against, the evil may be serious —it must be shown, in fact, that the apprehension is sincere, and that it is not made use of as a screen, while the contest is really entered into under the dictation of some other motive. The apprehension which is necessary to justify war, cannot be better expressed than by those words by which, by our common law, the apprehension which justifies homicide is described—it must be a just apprehension, 'non quælibet suspicio vani et meticulosi 'hominis, sed qualis incidat in virum for- 'tem et prudentem.' There is another point equally indisputable with those which I have stated, and of which all the writers on public law make mention, that when rights are violated, or wrongs inflicted, or danger threatened, a demand should be made for the re-establishment of the right, a reparation of the wrong, or security against the danger, before any power is justified in recurring to the last resort of arms, except when a danger is so imminent, that an immediate resort to arms is absolutely necessary. Those principles the noble earl has stated, and I venture to re-state them, for which I should apologize to the House; but these principles are the true test and criterion by which the war in which we shall, I fear, soon be engaged, must be tried. It cannot be said, that any act has been performed, any demand made, any aggression, any insult offered on the part of France, which demands reparation; nor can it be contended, that France has placed herself in such a menacing attitude as forms the ordinary justification of war, or which might give us a right to ask for further security than that which we possess. If we possess a right of war, it is from the violation of some treaties. The Treaty of Paris has been violated, the fundamental condition of which was the abdication of Buonaparté, a condition which has been held indispensable to our security. I am happy, my lords, that the noble earl has put the question on this ground; because he has thus avoided any contradiction of a most important principle, the right of every people to choose its own government. No one holds more sacred than I do, the right of every people to choose a government suited to their own interests, of which they must be the best judges. But we must not discuss abstract general principles, but must consider them as they are affected by circumstances. By right all men are equal; but innumerable are the distinctions which the progress of social society has introduced. So by nature have all nations the right to choose their own government, as they are the best judges, and as there is no other power which has a right to control them. But this right thus generally stated cannot be maintained unqualified by any exceptions; and one evident condition under which nations have the right to choose their own government is this, that the government chosen must not be such as to be necessarily dangerous to any other state.

Let us, my lords, however, take care that in admitting this extensive exception, we do not so essentially injure the right as almost to destroy its existence. Is it every danger, that by remote possibility can occur, that can authorize us to interfere? I am sure the noble earl is too much attached to the general principles on which depend the security and independence of nations, to argue to that extreme. What then, let us inquire, are the dangers that will give us the right? First, I say, it must be that species of danger which is connected with the right, and to judge of it you must resort to the experience of the conduct of government in all good times. What are the cases in which nations have felt themselves entitled to control the abstract right of others in this respect? I have taken some pains in my examinations upon this point, and I have not been able to discover any danger that has been held adequate, but where great nations were to be so united in power and resources, as to be able to hazard the general security and interest of the rest. Your lordships are no doubt acquainted with the facts attending the Pragmatic Sanction and the War of the Succession, in which the right of interference with the choice of the people was claimed for the purpose of preventing an alteration of territorial possessions, that by the aggrandizement of one power might endanger the general interests of Europe. [His lordship here adverted to the historical facts relating to the Pragmatic Sanction formed under Charles 6, in 1724, and then proceeded.] What was the object of that arrangement? To preserve entire the hereditary dominions of the House of Austria—against what? Against internal revolutions? No; but against foreign competitors who might take advantage of the weakness of the daughter of the Emperor, and put in claims like those made afterwards by the King of Prussia with regard to Silesia. The object of the Sanction, therefore, was distinctly this—to preserve the territories of the House of Austria in a state consistent with their own integrity and the security of the rest of Europe. The same was the object that gave rise to the War of the Succession. In the latter part of the reign of Charles 2, of Spain, great anxiety prevailed lest the Dauphin of France, who was the next heir, should succeed to that throne, and unite in himself the mighty kingdoms of France and Spain—a combination that was likely to endanger the general interests of the rest of Europe. What measures were taken to avert the evil? Two treaties of partition were formed under the sanction of King William, as I think unjustifiable in their principle, and ill calculated to effect the objects in view, making various arrangements with regard to the Italian and other dominions of Spain. To guard against the apprehended danger, an express provision, sanctioned by the Crown of France, was introduced, that at the death of Charles 2, the Dauphin should renounce his claim for what were held to be equivalent advantages. When, therefore, the King of Spain ceased to reign, and the duke of Anjou was to have succeeded, a legitimate ground of war was afforded for the purpose of preventing the junction of two powerful monarchies. I say, then, that this, like the Pragmatic Sanction, is not a case in point, for it rests upon the same general principle of resisting the union of two states that might by their joint powers over-run and subjugate the other nations of the continent.

But what was the conduct of the British Government at that juncture? Did King William, notwithstanding the abstract right he possessed, immediately declare war and insist upon a renunciation? No; on the contrary, they required securities; the strong places in the Netherlands were to be given up; Ostend and Nieuport were to be placed in the hands of King William; and above all, a guarantee was required, that no part of the Spanish dominions should be ceded to the Crown of France. Here, then, you have, first, a recognition of the principle, that it was only an accession of territory, a dangerous aggrandizement that was to be guarded against; next you find, that when the stipulations of the Treaty were not observed, securities were demanded and given; and lastly, a most useful caution is afforded against involving ourselves in wars of this description; for notwithstanding the vehement declaration of Parliament in its favour, even stronger than that of the noble earl this evening, the result proved that the dangers were more imaginary than real, and Europe enjoyed afterwards a repose of longer duration, and of greater security, than it had often before experienced. There is, however, another case, more recent and not less in point—I mean that of the Treaty of Paris itself, in which, in contemplation of the marriage of the Princess Charlotte with the Prince of Orange, it is provided, for the general security, that the successor to the Crown of England should not also hold the dominions of the House of Orange. Upon the general principle, for the safety of the whole, the other parties to the Treaty would have had a right of war, had its articles been broken by the marriage and the union of the two states.

What then, let us inquire, is the species of danger against which we have thus a right to provide? Is a danger arising from the personal existence and personal character of Buonaparté sufficient to authorize our interposition? I would ask, whether in the history of war, disfigured as it is by false pretences, such a principle was ever before heard of? I would ask, whether any writer in times comparatively civilized gives a single instance of a foreign power interfering to prevent the choice of a sovereign, on account of his personal character and qualities? Vattel, in referring to this point, is compelled to go back to fabulous times for an instance of a monster so odious from his personal qualities as to induce the interposition of a foreign nation to prevent his succession. This search for a precedent in barbarous ages reminds me of the late lord Loughborough, when Mr. Wedderburn, who on one occasion had justified a proceeding of Government by adverting to the destruction of Regulus, and ever afterwards it became a bye-word of ridicule, in opposing an argument of that kind, that the Solicitor-general had been particularly happy in the case of Regulus. But, my lords, I am prepared to contend, that from the very nature of man, from the very condition of mortality, personal objections cannot be a justifiable ground of war: the dangers against which you would provide arise from political causes, and must be the same under all sovereigns. To revert to the case of Spain, to which I before referred, where opposition was given to the junction of Spain to France: the objection applied to the immense accumulation of power, and if the Sovereign of France had been the most pacific, unambitious prince the world had ever known, it could not have removed it, and for this obvious reason, that that power might, in the course of nature, devolve into the hands of a prince of a character directly opposite. Take, then, the converse of that case, and I argue, that the mere existence of a sovereign of an ambitious and warlike disposition cannot give you the right of war, and for this simple reason, that he is mortal; he is subject to the consequence of accident, disease, and age—death. From this natural cause you may have sufficient security to induce you to maintain the relations of peace.

Then we come to the question, whether under the Treaty you have that right of war, and then whether, admitting the right, it be expedient to insist upon it. I am willing to admit, with the noble earl, that the nature and extent of the obligation is to be collected, not from one instrument merely, but from all the treaties of Fontainbleau and Paris: but first let us examime the Treaty of Fontainbleau. I do not know whether the noble earl denies that there has been any breach of those engagements by the Allies, but he does contend that there has been no such breach as to justify the conduct of Buonaparté. If the noble earl argues, that the Allies have been guilty of no breach of the Treaty of Fontainbleau, I apprehend he undertakes a task of no ordinary difficulty. Does he mean to deny that the pension to Buonaparté has not been paid? Certainly not. Does he deny that the property of Buonaparté and his family has been sequestrated? Certainly not; and both those instances are direct breaches of the Treaty of Fontainbleau: but the first was vindicated upon the old hacknied ground, that it was required by reasons of state; and in answer to the second, it was said, that the property was taken in satisfaction of the debts of Buonaparté, when there was an express provision in the Treaty that those debts should be paid out of the Civil List. There was, however, a third, and if possible, a more flagrant breach of the Treaty in respect to the archduchess and her son. Was it denied that it was intended to deprive her of the duchies of Parma, Placentia, and Guastalla? The conduct of the Allies with relation to this point was, in truth, most scandalous. Then, says the noble earl, none of these breaches can justify the conduct of Buonaparté, unless he can prove that he made a previous demand of satisfaction and redress, and this position he rests upon the authority of writers on the Laws of Nations. I am ready to contest that point with the noble earl, although I admit that, generally, there ought to be a demand of reparation before hostilities are declared; but in cases of breach of treaty, what is the opinion of Grotius, and after him of Vattel? Disclaiming the nice distinctions of the noble earl between essential and unessential articles, they state expressly, that the non-performance of a condition gives the party injured the option either to negociate for redress, or to hold the treaty utterly null and void. I say, then, that the conditions to be performed by the Allies being violated, Buonaparté had a right to consider himself absolved from the condition of his abdication, and the manner of proceeding in such a case depended upon his own judgment.

The noble earl has repeated to-night, with great triumph, an argument over and over again refuted, that Buonaparté never rested his case upon the ground of a breach of treaty. What is the fact? In the proclamation dated from Bourgogne, he expressly declares that those breaches had restored him to his throne and to his rights; and he adds, that still further violations were apprehended, for it seemed likely that the Allies would deprive him of the asylum he had chosen. The noble earl intimates by his gestures, that there was no foundation for such a fear; but, recollecting what passed at Congress, it does not seem unreasonable that Buonaparté should have felt that such an event was likely to take place. I have no doubt that the British ministers were not, and would not have been parties to such an unwarrantable proceeding; but does it appear that they were acquainted with all that took place at Vienna? Will they take upon themselves to say, that no such measure was ever in contemplation, and that M. Talleyrand never secretly suggested it to the Sovereigns? Is there no reason to believe that the fact warranted Buonaparté's assertion? It is remarkable, upon this point, that on the 8th of March, shortly before the King left Paris, general Dessolles, who commanded the guards, issued a proclamation, under the authority of the Government, at least never contradicted, stating distinctly, that one of the causes precipitating this desperate attempt was, the knowledge Buonaparté had acquired that it was intended to remove him from the island of Elba. It will not be denied, then, that Buonaparté might have some cause for his alarm. I will not, however, dwell upon this point, lest it should be supposed that I evince more anxiety to vindicate the conduct of this individual than I really feel; though at all times a wish to do justice on both sides ought to be paramount, in order to take care that we stand right in the face of the world, before we renew the dreadful calamities of war.

Then, my lords, we arrive at the consideration of the Treaty of Paris; and here there are two great principles to be attended to:—first, as before stated, that the privilege of a nation to choose its own government is generally a sacred right, and the exercise of that right does not necessarily abrogate the treaties existing under another state of government, unless the change be effected in direct contravention of some of the principles of the Treaty:—secondly, That such a contravention of some part of the Treaty as would justify an interference must be precise, clear, and accurate in its wording; which, like a penal law, must be strictly and specifically stated and construed. Is there, then, I ask, in the first place, any guarantee under this Treaty? Certainly none. Is there a special exclusion of any particular form of government? Certainly none. Is there any exclusion of a particular individual from that government? Certainly none. Then, what is the conclusion, but that the people are left to their free choice, with the exception of Buonaparté, whose exclusion is thus collected by the noble earl. By the Treaty of Fontainbleau Buonaparté abdicated his throne: by the Treaty of Paris, referring to that of Fontainbleau, peace was given to Europe; and in consequence of the change of circumstances, as is expressly stated in the instrument, certain securities before required from France are not enforced. What then is the extent of the obligation contracted by the people of France? They are not confined as to the form of government—they might, if they pleased, have established a military despotism with marshals Massena or Ney, or M. Caulaincourt, at its head; or a popular republic, under the auspices of count Carnot, the abbé Sieyes, or any other member of the revolutionary committee of public safety, and we should have had no right to complain or interfere. So much we may distinctly collect from the speech of the noble earl, and from the dispatch of the earl of Clancarty; and it now remains to be seen, how far the Allies are justified in insisting upon the exclusion of Buonaparté on personal grounds. Is his abdication referred to in the Treaty of Paris? No, not specifically; but it is said, that in consequence of the re-establishment of the paternal reign of the ancient Kings, peace has been granted to France, without those securities which had been demanded from the former Government. I stated on a recent occasion, and I beg to repeat it now, that having by the Treaty of Paris granted certain advantages to France, under a particular state of things, in the confidence that that state would continue (those advantages being the yielding of the claim of securities), if that state of things does not continue, the right reverts of demanding the securities which, for the time, had been relinquished. This, then, I apprehend, is the whole extent of the right of this country, to demand from France the securities before required. If we contend for more, we must contend for much more,—for that which even the noble earl does not argue, namely, the re-establishment of the family of the Bourbons, for the securities before required were given up because the paternal authority of the Bourbons was restored; and if the noble earl insists upon the strict wording of the Treaty, he must claim, not only the exclusion of Buonaparté, but the restoration of the Bourbons. I contend, therefore, that in the letter and spirit of the Treaty, and by the acknowledged law of nations, the utmost you can require is the giving of those securities by France, which before the abdication of Buonaparté you deemed an adequate barrier to his ambitious encroachments.

Then we come to the next point—the expediency of engaging in war. I remember that it is stated by Mr. Burke—whose speeches and writings are a magazine of arguments for and against every side of almost every question—on this subject, that as a nation could not be justified in pursuing war for a profitable wrong, so neither could it be justified in commencing war for an unprofitable right; or, in other words, that the principle of necessity alone was that of expediency. I have said that if Massena, Caulaincourt, or Ney, had been at the head of the French nation, the only question would have been that of security; and, comparing what France might have been under them, and what it is under Buonaparté, I ask, is the difference such as to justify ministers in plunging this country into a new war, before she had time even to bind the still bleeding wounds inflicted in her late and long-contested hostilities? In viewing the expediency, it is necessary, first, to contemplate the character of the war; and, upon this point, I confess I was much disappointed that the noble earl thought it necessary to say so little. When the famous Declaration of the 13th of March was adverted to on a former occasion, the noble earl assured the House that no construction was to be put upon it holding out other modes of attack upon Buonaparté beyond the legitimate practice and principle of ordinary warfare. The Treaty of Vienna of the 25th of March refers in terms to this document, and therefore, to judge properly of that Treaty, we must look at the Declaration. It is there distinctly and unequivocally asserted, that by violating the convention which established him in Elba, Buonaparté had forfeited his only legal title to existence—that by appearing again in France, he has deprived himself of the protection of the law, and had manifested to the universe that there could be neither truce nor peace with him—therefore they declare, that he has placed himself without the pale of civil and social relations, and as an enemy and disturber of the world, has rendered himself-liable to public vengeance. Such are the terms of this instrument; and yet the noble lord asserts, that nothing more is meant than that the ordinary and legal expedients of war shall be employed! I should be glad to find that interpretation authorized by the language; because I am anxious, not only to relieve the great name affixed to that document, but my country, from the stigma that must remain upon it, were we to form an opinion of the Declaration by the natural import of the words. But what meaning can we affix to these phrases—that he has forfeited his only title to existence—that he has put himself out of the pale of civil and social relations—and that he has made himself an object of public vengeance,—excepting that it is inculcating the savage principle of assassination? What is it but saying that the secret dagger as well as the public sword shall be unsheathed against him? Such a doctrine has, however, been disclaimed, and I hope sincerely; though the enemy has derived every advantage from the natural impression it seems calculated to produce.

Admitting, therefore, that the mode in which we are to make war is legitimate, I entreat your lordships to reflect on the dreadful alternative to which it will reduce us. Either the termination must be crowned with complete success, or with abject humiliation by the compulsory acknowledgment of Buonaparté, after signal and decisive defeats. Does it not, then, become a question of the first moment, whether, when we have a choice, ministers shall be allowed to commit the country by the commencement of hostilities against a man who has the population and resources of a mighty nation at his command? With such a man the Allies have declared that they can make neither peace nor truce. Events cannot be controlled, nor victories ensured; those who now support the ministers of this country in a war, may soon cease to countenance their measures, and the result must then be disgrace and degradation. It is not necessary for me here to state all the dangers this country would have to encounter, though every prudent statesman would not fail to contemplate all the consequences of defeat, even in the hour of success; but after such a declaration, after such proceedings at Vienna, after such a triumph over the fallen, should Buonaparté again rise above his enemies, even without attributing to him all the bad passions charged by the noble earl, what hope at least could our Allies indulge? What hope could even we have, with diminished population and exhausted revenues, of maintaining our independence? Such extremity of humiliation, in case of failure, was, perhaps, never before balanced against the expediency of commencing a war. Does not this view of the subject require that, if possible, hostilities should be avoided? We have never yet been told what were the securities demanded from the former Government of France, that at that time were deemed adequate to the tranquillity and independence of Europe. Was France to have been confined to her ancient limits, as by the Treaty of Paris? If so, and at any future time that arrangement should be made, I hope all painful recitals will be omitted; for, in my opinion, there are few greater securities for peace than avoiding galling reflections, which were perpetuated by the terms in which the Treaty of Paris was couched, and for which, among other reasons, I held it to be injudicious. Those who contend for war now, must argue much beyond the points to which they restricted themselves before the fall of Buonaparté; they must contend that Europe cannot be secure while France is independent. Is it true, that after the struggle we have maintained with such unexampled perseverance, and the glorious triumph we ultimately obtained, that even with France limited to her ancient possessions, we can no longer be secure against the power, the ambition, and the rapacity of a single individual?

The noble earl has rested the justification of making war against France at the present time principally on two grounds: first, on the internal state of France at this time; and next, on the present state of the confederacy. With respect to the internal state of France, I would ask the noble earl—have you at the present moment any precise and accurate knowledge on the subject? On that subject it is not likely that his Majesty's Government should possess much better information than other persons; they can have no information but what they derive from such sources as are open to our own knowledge. It is extremely difficult to come at any thing like a satisfactory conclusion on a subject of this nature. And here, my lords, I must observe, that all the information stating France to be at present in a disturbed state, comes from a very interested source, and is delivered to very interested hearers. There is nobody here to whom the truth of such information is not very desirable; and there is, therefore, an evident bias both in the mind of the reporter, and the persons to whom he delivers his information. We are told that there is another way of estimating the accuracy of these reports of disturbances—the taking them in connexion with the proclamations issued by the present Government of France. But to judge of these proclamations, we ought first to know what the particular interests of the Government are. A government may occasionally give an effect, for ends and objects of its own, as we all know from experience, to disturbances in their own nature of a very trifling character. The noble earl is old enough to remember the beginning of the French revolution, how we were continually buoyed up with accounts of disturbances in France. We were then also told, that more than three-fourths of the population of France were adverse to the existing government. This was stated at a time when the fact was much more probable than at the present time—it was stated after the recent destruction of a government to which France had been long accustomed, when by far the greatest part of the population then living had been educated under that government, and might very reasonably be presumed to entertain an attachment for it. Besides this, there actually existed in La Vendeé, at that time, a war of a most formidable description. But what was the result then? When our hopes were the most sanguine from these internal discontents, we found at that very moment the greatest foreign exertions were made against the common enemy. This is a result which, philosophically speaking, we may generally expect to take place; and, in fact, if we examine history, we shall find, that internal discontents have usually given an uncommon vigour of exertion and energy to governments. In looking to governments of which the constitutions are free, we shall generally find, that when every thing is quiet there is no longer any real freedom. When we examine the histories of Rome and the republics of Greece, we find that when they were most convulsed by internal dissentions at home, they obtained the greatest success over their foreign enemies in war. This is founded on human nature. The internal disturbances in France, therefore, so far from leading us to expect greater success in any attack on that country, should, on the contrary, lead us to expect a greater degree of exertion on the part of the Government. But if such a spirit of discontent should really exist in France, what are the best means of encouraging it? Will it be by making war on the country, or by leaving it to its own operation? Experience proved how much an external war enabled a government to suppress any insurrection. If three-fourths of the population of France are hostile to the Government, as we have just heard from the noble earl, I should say, that the most likely way to counteract the effects of that hostility would be to make war on a whole nation of which so small a part are in reality attached to the existing government. This would be pursuing the worst possible course, if the noble earl really believes that three-fourths of the people of France are secret enemies of Buonaparté, if not in open revolt against him. Our opportunities of information with respect to the state of that country, are of a limited nature. But I must inform the noble earl, that all the information which I have received leads me to a very different conclusion. Before the return of Buonaparté was even thought of in that country, all the information which I received led me to the belief that the Bourbons were unpopular, not only among the military, but the most effective part of the population of France. This was at a time when the return of Buonaparté was not thought of, except perhaps by those who were in possession of his secret intentions. The great part of those who visited France in the course of last summer were of opinion, that the government of the Bourbons, if it lasted during the life of the King, would be all—and that there would then be another revolution. I may here allude to a letter from the marquis de Chabanes to the count de Blacas, which, no doubt, contains a good deal of declamation, and many views of policy in which I should not be disposed to acquiesce, but which is valuable, as it contains information with respect to the general disposition of the people of France, both at the period of the accession of the Bourbons, and since their removal from the government of that country. He states, that the sentiments of the people at both periods were the same—that the clergy, the old noblesse, and the emigrants, were favourable to the Bourbons—but these are the classes of the least efficiency of the whole—and that then and now—first, the whole of the military, and secondly, all those persons who had acquired national property—(for whether justly or not, there was disseminated amongst them a sort of panic, which men where their property is concerned are so prone to, especially where the title to that property is in any way questionable)—had expressed themselves adverse to the government of the Bourbons; and we may consider these two classes therefore, from their connexion with the events of the Revolution, as favourably disposed towards Buonaparté. I shall first proceed to consider the subject of the military. It has been argued by the noble earl, that the military have brought about the late revolution, thereby placing Buonaparté on the throne of France against the wishes of the people. But I contend, that the noble earl has no authority whatever for this statement. If we look at the history of this transaction, we shall find the most ample contradiction of it. His landing, for instance, with so small a body of men—his going a considerable way often before that body, and presenting himself to the populace every where throughout his journey. We find, that he was always received, wherever he appeared, with acclamations; and that he was not only popular with the military, but that there was a general disposition in his favour. When Monsieur arrived at Lyons, he reported, that the national guards had shown an indisposition, that the populace had not shown a good disposition, and he expressed his only hopes to be in the troops, as the people of Lyons, the second city in the kingdom, were so generally attached to Buonaparté. The same attachment was shown in other parts of the country. The whole population of France had not even kept themselves in a state of quiescence, but had openly shown their satisfaction. The most favourable conclusion which the noble earl can possibly draw is, that if the people are not favourable to Buonaparté, they are at least adverse to the Bourbons. But with respect to the military, I will ask the noble earl if their sentiments are to be considered as no indication of popular opinion? I have always heard, that one great characteristic of the French armies, the native courage which no other army in Europe has displayed in a greater degree, was to be attributed, not only to the conscription giving them a better description of men than entered the armies of other countries, but also to the Revolution, which had introduced into that army persons of higher and better qualifications than would have entered it under other circumstances. Any man, on entering that army, might hope in one campaign to rise to the highest ranks—to rise ultimately to principalities. Noble lords may readily imagine, that in such a state of things not only the young will be induced to enter the army, but even fathers of families will feel their objections diminished to it, as an eligible vocation for their children. So far, then, from its being true, that the military in France form a separate class, it may on the contrary be considered, as on the whole, forming an accurate representation of the sentiments of the people. The whole population may also be considered as in a considerable degree military. It consists, in a great proportion, of old disbanded soldiers—men who entertain a fond recollection of the actions in which they have been engaged—who bear a warm attachment to Buonaparté instead of hatred (notwithstanding the waste of human life, of which he has been the occasion), from a remembrance of the victories to which he led them. The spirit of the army, therefore, exists in some measure throughout the whole country. But, my lords, has nothing since taken place to confirm the opinion which I have now given? What are the proceedings of the French Government at the present moment? Do they show any distrust of the population? Are they not, on the contrary, arming the whole of the male population from 20 to 60?—a circumstance which may be considered to threaten France and all Europe with the most serious evils. But whatever opinions may be entertained on this subject, I am entitled to draw this inference from it—that Buonaparté and the rest of the government do not think it dangerous to put arms into the hands of the people, which might be turned against them if there existed any dissatisfaction in the country. The noble earl would do well to consider, before embarking in any war with France, that the effect would inevitably be to call forth all the military energies of that people; and that it is contrary to the principles of human nature to overcome the resistance of what was termed by Mr. Pitt 'an armed nation.' The measures adopted will call out 3,000 battalions of 700 men each, forming an aggregate amount of upwards of two millions of men. It appears that no less than 172,000 national guards are already in motion, if M. Chateaubriand is to be believed. In looking to the state of France, therefore, there is no reason to look for any success for the Allied army; but, on the contrary, that war with France will strengthen the hands of the Government, and enable it to oppress and extinguish entirely whatever spirit of dissatisfaction may exist in that country. In all former periods when we have attacked France on these principles, what has been the result?—the rallying the people of that country round their government, enabling that government to carry war and desolation into every country of Europe, and of nearly overwhelming the liberties of the world. When the Allies offered moderate terms to France—when they carried liberty and independence on their banners—when they called on the people of France not to support the injustice of their government—then at last was seen in France that apathy which allowed that short-lived triumph to them. Both in their success and their failure the cause was equally evident; experience has shown how their success was gained, and the means that are most likely to destroy it.

If such is the internal state of France, that we have nothing to hope for from any disturbances in that country, what, my lords, is the present state of the confederacy? How far is it better or worse than it was last year? In the Russian campaign of 1812, the French army was nearly annihilated. By a great effort, however, Buonaparté was able to assemble in the spring of 1813, a considerable force, and to open the campaign with the first successes, of Bautzen and Lutzen. After the termination of the armistice, and after the defeats in Silesia, at Leipsic, and elsewhere, his army was again reduced to the lowest extremity; and in 1814, the French Government were in such straits as they never were before, to find means to resist the victorious armies entering that country. I have made out an account, as well as I am able, from the statements of that period. In 1814 the army in Dantzic, the garrisons on the Rhine, the army of the Viceroy, and the army in Catalonia, formed an aggregate of 225,000 men. These men were completely cut off from France, and incapable of affording any assistance to that country. Of the residue which remained to defend France, without those armies, there were 80,000 men under Buonaparté himself, 30,000 under Augereau, and 35,000 under Soult; making the whole defence of France 155,000. Against this force, on the side of Spain, there was the British, Spanish, and Portuguese army, at least 130,000 strong, under the duke of Wellington. The other armies were the Austrians 60,000, the Russians 180,000, the Prussians 130,000, the Bavarians and

Saxons 70,000, forming an aggregate of 540,000 men. This, I am confident, is the result of the statements at the time, and I have not included either the Swedish army or the landwehr, or garrisons detained behind. But I will suppose that this number is over-stated, and that we must deduct at least 200,000 from this number of 540,000; we shall find then that there did advance against France on all sides at least 340,000 victorious troops, confident from success, opposed by 155,000 dispirited and worn-out troops, and that consequently France was attacked on all sides by the Allies by more than double the number of troops which could possibly be opposed to them. And yet, whoever recollects the alternative of hopes and fears, the ebbs and flows of opinion, and, by what a narrow accident success was at last obtained—that after the capture of Paris, when Buonaparté was suffering from the desertion and treachery of those on whom he depended—it was by a narrow accident the Allies escaped destruction. Even under the great General who has hitherto been so signally successful in all his undertakings, who would look with confidence to the renewal of hostilities under the present circumstances? There was, then, cut off from the French armies 200,000 men—making the largest allowance for Italians and foreigners of all descriptions, at least 100,000 of this number must have returned to France, and be ready to recruit the armies of Buonaparté. The prisoners returned to France amounted at least to 170,000. From this country they had received at least 100,000. The returned garrisons and prisoners of war must, at the least, form a fund for recruiting the army, of at least 200,000 men. Buonaparté, at his accession, found 150,000 in a complete state of equipment—100,000 more were ready to be called out—and, in the course of two months exertions, we may consider his army, exclusive of garrisons and national guards, and 170,000 men of select companies of national guards, to amount to an available regular force of at least 300,000 men. In a question of expediency we ought to consider these things accurately, and not suffer ourselves to be led away by vain delusions. If success was obtained with such difficulty under such very different circumstances, what hopes can we possibly have that the same success will now attend our efforts? But can you now have the same means which you had last year? Sweden, Spain, and Portugal, have all, it is true, signed the Treaty; but it does not appear that they can contribute any thing. Austria, Russia, and Prussia, the three great powers, are to receive five millions by way of subsidy from this country. No statement has been made by the noble lord this night of what farther accession to the great Powers we are to obtain from the minor states of Germany. If we obtain any such accession, it can only be on paying further subsidies. We know that the king of Wirtemberg and all the other minor Powers are desirous of obtaining some of the golden eggs which the great goose of Europe has been laying for some time. With respect to Sweden, I apprehend that there may be some doubt of the willing disposition of that country. There may be also some doubt of its ability, from the accession which it of late so honourably obtained. [Hear, hear!] With respect to Spain, those who have seen what a Spanish army can do in defence of their own country, must laugh at any expectations of assistance from them. Portugal may give perhaps 20,000 men. But are these the only diminutions? Is the British army now what it then was? Is the duke of Wellington now at the head of those brave companions in arms who had such confidence in the man who had so often led them to victory? Is he any longer at the head of those invincible legions who have gained such immortal honour to their country? That army has been sent on most destructive and ill-conducted expeditions. The duke of Wellington is not able at present to produce at most above 20 or 30,000 troops, and those of a very different description indeed, though animated with the same British spirit, from those he formerly commanded. I am not now including the Hanoverian troops. In America numbers have found their graves; and from those who remain, after being harassed with their repeated voyages from Spain to America and from America back again to Europe, we cannot in justice expect that they will for some time equal their former character. We have not therefore the same British army. With respect to the minor Powers of Germany, what is the case with Saxony, for instance? Can you again raise your standard at Leipzic, and call on those to join you who contributed so essentially to your former victories? How happens it that those who, in opposition to their Government, forced their commanders to lead them to your ranks, are now your enemies? They gave you formerly 30,000 men, and now Dresden is the first place where we see proclamations issued, to restrain the indications of joy at the return of Buonaparté. The troops which marshal Blucher was obliged to punish, are a source of weakness and not of strength. With respect to Italy, with Genoa still ringing in your ears, can you expect that country again to rise? Are the people there any longer in the same situation? But, is the alliance which exists cemented on the same principle as formerly? Before the advance into France, the Allies were powerful from their union and numbers; but above all they were powerful from their moderation and justice. Can they any longer, after their proceedings in Norway, Saxony, and Genoa, after the accessions which have been made to Hanover—can they come to the contest with the same confidence of union among themselves? Prussia has to keep down Saxony—Russia to keep down Poland, and at the same time, perhaps, to oppose an army to Turkey. Austria will be so occupied with Italy, even if Murat should be put down in that country, that she can afford but little assistance to the general cause. But can they advance to the subjugation of France without some fears, and apprehensions and jealousies of what they may expect from each other? In the division of spoil, we have seen how near Austria and Russia were in being involved in war, and in arming against each other with those very subsidies which they obtained from this country for other purposes. Is this problematical? Have we not seen the famous letter from lord Castlereagh to Prince Hardenberg? That person, who assumes to himself an unknown power in the constitution of this country, who sets himself up as the judge of independent sovereigns—declares, that he has no objection on principle to the partition of Saxony. Did he recollect to whom he was addressing that letter?—to the minister of the Court of Berlin. Did he recollect the Treaty of Basle, by which Hanover, the plunder of an ally, was given up to that Court? We have seen this person expressing a willingness to consent to the incorporation of the whole of Saxony, under the blind of a resistance to the dangerous pretensions of Russia. [Hear, hear!] The Allies would therefore go to the field with a suspicion, that the very dangers which they escaped from with respect to France, they would have to provide against from another quarter.

There are some other particulars, long as I have occupied the attention of your lordships, which I am under the necessity of shortly noticing. The noble earl has attempted to prove Buonaparté a faithless character. I did not require to be told of the actions of that individual at such length, to be able to form an idea of his character—to be told, for instance, of the invasion of Spain, which in all its circumstances was so like that of Scotland under our Edward 1.—I did not require that the noble earl should go into all this to convince me that the government of Buonaparé was a government of great evil and injustice. I cannot help regretting that it should be thought necessary, in speaking of such a man, to make use of intemperate language, such as calling him a traitor or assassin—language which can answer no good purpose either in peace or war. The use of such language leads always to a suspicion either of the goodness of the cause of those who have recourse to it, or of their firmness and sincerity. I disapprove as much as any man the career which he has followed—I detest as cordially his ambition—and I would do as much as any man to fight against him and resist him when necessary. But who can say that all change in his character is impossible? Are there not in history examples of men polluted with as foul crimes as Buonaparté—who have waded through seas of blood—who have at last retired even to a private life? But I agree that it would be puerile to place any confidence in such a change of character. I agree that it would not be reasonable to place any reliance on his future moderation. But if there is no change in his disposition, may there not be a change in his policy? Has he not during his year of exile had ample opportunity of reflecting on his former errors? Has he not had the means of detecting the causes of his temporary ruin; and may he not have been impressed with the necessity of abandoning that system which had already cost him too dear? In addition to this consideration there is another which in my mind, my lords, presses with great weight. The life of Buonaparté has already been one fruitful of great events. More extraordinary occurrences have been crowded into it than are to be found in the existences of ten ordinary men. He has undergone great fatigue of body. He has endured great perturbation of mind. His frame must necessarily be much shaken by these circumstances. He is fast advancing to that period of life when active exertion is no longer to be expected. Suppose him arrived to such a condition, that he can no longer command his armies in the field with the energy which he has hitherto exhibited; will not Europe have a security which it has not heretofore possessed? My lords, I know that these are minor considerations in themselves, but they are important considerations when the whole case of the Allied Powers rests on the personal character of the individual to whom they are opposed. I am not one of those who are disposed to determine great questions of policy by a reference to the personal situation and circumstances of any individual. I would not go about, as the Athenians did, inquiring what was the state of health of Philip. But, my lords, I would take the chances which I have described into consideration. With such tendencies to a state of security by peace, I would not rashly plunge into a war, the only legitimate object of which is security.

My lords, there are other reasons in confirmation of this argument. I have already said, that I think the noble earl mistaken in giving to the late revolution in France the character of a mere military movement. But still I firmly believe that the popular opinion in France is decidedly in favour of peace; and that Buonaparté, however indisposed to do so, feels compelled to give way to it. What is he about? He is expressing a great desire for peace. Is that to conciliate his army? The noble earl has said, that war is the only mode by which he can maintain his influence with them. I do not think so. All that I can observe proves to me, that not only the public at large in France, but even the army themselves, are generally disposed to remain at peace. The noble earl has indulged in many observations on the new French Constitution. My lords, I am not one of those who have much confidence in the efficacy of any such hasty compilations. Attempts to form at once a constitution for a country have seldom been successful. With respect to our own, however we may venerate the wisdom of our ancestors, we all very well know how little there is in it of design, and how much it owes to accident, and to the fortunate concurrence of circumstances. But, my lords, situated as the French were, what were they to do? They were compelled to form a constitution on the best model they could find, and that model was the English Constitution. They thought this a form of government best calculated to prevent the recurrence of the evils which they had already endured. I will not have the presumption to say that there are no defects in this institution; but in my opinion, the establishment of it affords another chance of the maintenance of peace. The party in France to whose influence the formation of this constitution is attributable, are certainly in earnest. Does the noble earl believe that Buonaparté can well connect himself with Carnot and others, who have given undoubted proofs of their attachment to well-regulated freedom? Can he believe that they will consider him as sincere in his new professions—that they will not view his proceedings with distrust? Unquestionably that must be the case. But, how is this chance of disagreement to be removed? How, but by the advance of a foreign enemy, adverse to both parties. If we go to war with France, my lords, those parties which in peace would probably split, will unite, and will place in the hands of the man who has already proved himself so capable of wielding them, the immense military energies of that mighty Empire.

The noble earl contends that if we do not go to war, we must remain in a state of extensive armed preparation. My lords, when Buonaparté first returned to Paris, I acquiesced in the necessity of an armed preparation. Under the doubtful circumstances of that period, it appeared to be wise at all events to be prepared. But did I allow, that that preparation ought to be permanent? By no means. If by pursuing an enlightened policy we had confirmed a peace with France—a peace, which proper limits to the French power would have rendered secure, I see no reason why we should not have reduced our forces to the peace establishment to which it was proposed to reduce them when France was under the government of Louis 18. In many periods of our own history we have experienced that a low peace establishment has not prevented us from suddenly commencing a glorious war. The example of America shows, that a low peace establishment does not preclude the greatest and most instantaneous military exertions. The peace establishment of Prussia, antecedently to 1813, was very limited; and yet it is generally admitted, that in 1813, and 1814, the Prussian army was the best and bravest in the field. There is no comparison between the expense of mere preparation and of war. The whole argument of the noble earl rests, therefore, on the certainty of our success in this contest. But, if we should not succeed, and as we must in that event make peace at some time or other, I ask, whether a defensive attitude in that case will be less necessary or less expensive than at present? What then would I do, my lords, under these circumstances? I would act on the principles of the Treaty of Chaumont. I would take the best means of securing this country by properly limiting the power of France. I would fortify myself by a defensive alliance on the principles of that Treaty with the other Powers of Europe. An alliance we have now formed. But is there no danger of its dissolution? What will be our situation if the events of the war should induce some of the Powers to fall off from the confederacy? Should the campaign be unsuccessful, is it not to be apprehended that some of those Powers may grasp at the first objects they can seize, in order to save themselves from further loss and humiliation? In what state shall we then be placed—compelled alone to carry on a contest, the principle of which is apparently interminable?

Such, my lords, will be our danger in the event of failure. How shall we be circumstanced in the event of success? The noble earl says he wishes for the restoration of the Bourbons. I have already shortly stated my reasons for believing the restoration of the Bourbon family impossible. It is a family absolutely repulsive to all France. But granting that the Bourbons were replaced, what security should we then have? Can we disarm that country? If we can succeed in enforcing on the French people, or in inducing them to choose their ancient dynasty, what security shall we then have greater than that which we may now possess? After the experience which we have had, could we entertain any hope of permanent tranquillity? Are we to go to war to destroy Buonaparté, or to destroy the military system of France? If the latter, my lords, it can only be done by the extermination of the whole army of France. If this cannot be accomplished, and any other person, even a Bourbon, should be at the head of that army, he must yield to its spirit, and must engage France in war. Would you then, my lords, be relieved from the necessity—the dreadful necessity, as the noble earl terms it—of remaining in a state of armed preparation? If, my lords, we look to America, we must feel that in the event of a new war the question of our maritime rights, unsettled as it has been left by the late Treaty with that country, will necessarily be revived, and that in a more extended form, in consequence of the recent acquisition of colonies by the French Government. Unless we pursue a very different policy with respect to America from that which has hitherto been adopted, elated by the late proofs of her strength, developed as it has been by those measures on the part of Great Britain, which have advanced the military power of America a century in the short space of a twelvemonth, it is not likely that she will remain very pacific. My lords, since the restoration of Buonaparté to power, we have witnessed a measure at which I most sincerely rejoice, both on account of its own value and of the indication which it gives of the new character of his Government. I allude to the Abolition of the Slave Trade—an object effected at a moment when it was most necessary for him to cultivate the public opinion; thus affording the strongest practical refutation of the statement of our negociator, that it could not be accomplished under the reign of Louis, from the opposition of the popular sentiment. In adopting this measure, the Government of France necessarily abandons all idea of becoming possessed of St. Domingo, or of extending its present colonies, which are by no means considerable; and this will appear more evident, when we consider that from abolition the step to emancipation is but short. My lords, if we look at Saxony, we must be persuaded that peace is necessary to heal the divisions of that unhappy and injured country. If we look at Ireland, we must be satisfied that the amelioration and improvement at which the proprietory of that country ought to aim, can be accomplished only in peace. All these considerations induce me to pause before I approve of an irrevocable war—war, which leaves us no expectation whatever of advantage. For the present day I would endeavour to obtain security;

"Besides what hope the never ending flight
Of future days may bring, what chance, what
change
Worth waiting, since our present lot appears
For happy, though but ill; for ill, not worst;
If we procure not to ourselves more woe."

My lords, it is extremely painful to me on this occasion to differ from a noble friend of mine near me, whose enlarged understanding, whose liberal opinions, and whose extensive experience, entitle him to the greatest respect: but the discharge of my duty is paramount to every other consideration; and I therefore, my lords, move this Amendment:—

"That an humble Address be presented to his Royal Highness the Prince Regent, to thank him for his gracious Message:

"To express to his Royal Highness our firm determination to support all such measures as may be necessary to enable his Royal Highness to maintain the honour of his Majesty's Crown, and to establish an intimate concert with the Powers of Europe, for the protection of their respective rights against all foreign aggression:

"To assure his Royal Highness that it is at all times our anxious desire to give our assistance in fulfilling such Treaties as his Royal Higness may have been induced to enter into with these views; but that we should not be justified in expressing any approbation of the engagements which his Royal Highness appears to have contracted, for maintaining entire the stipulations determined upon and signed at the Congress of Vienna, of which, both as to their principle and extent, we are as yet wholly uninformed:

"To state to his Royal Highness that cordially approving, as we do, of a defensive system, for preserving the equilibrium of Europe, and securing the repose and independence of its states, we at the same time feel ourselves bound to represent to his Royal Highness that we do not think a war undertaken on the principle of personally proscribing the present Ruler of France, necessary for the accomplishment of those desirable ends.

"That, on the contrary, such a war appears to us questionable in its principle, and fraught with the greatest dangers; leaving us no alternative, with a view to the re-establishment of peace, but complete success in destroying the Government so proscribed, or humiliation and disgrace, in submitting to acknowledge it after such proscription.

"That we learn with satisfaction that hostilities have not yet been commenced, and that we entreat his Royal Highness to open new communications with the Allied Powers, whereby the engagements now subsisting between them, may be established on a defensive principle, more conducing, as it appears to us, to the interests of this country, and to the general security of Europe, than that which has been adopted in the Declaration signed at Vienna by the Allies on the 13th of March last, and in the consequent Treaty concluded on the 25th of the same month."

Earl *Bathurst* contended, that as an opinion was not called for on the engagements entered into by his Royal Highness the Prince Regent, the amendment proposed by the noble earl opposite, was in the present instance unnecessary. As it went to oppose the principle of proscribing an individual as the Sovereign of France, it was still more objectionable. Such a proposition, if agreed to, must cause the complete dissolution of the alliance now formed against Buonaparté. The great Powers had declared, that peace could not be made with France so long as he remained at the head of her government; and this country, in departing from that principle, would depart from its Allies. With respect to what had been said of hostilities not having yet commenced, and of letters of marque not having been issued, and the inference thence drawn, that the country was not in a state of war, he maintained that the statement of his noble friend had not been shaken by the circumstance of hostilities not having yet broke out; and that the issuing of letters of marque, though a measure frequently resorted to in the first stage of war, was not necessarily a part of war. In the present situation of things, their lordships must consider the country in a state of war; and the question now submitted to their decision was simply this, whether or not ministers had done right to advise the Prince Regent to place it in that state? The noble earl proceeded to show that just grounds for war had existed, and denied that any of the treaties entered into by the Allies had been violated on their part. It was said, that Buonaparté had not been paid the sum which it was stipulated he should periodically receive. But this proved no violation of the good faith of the Allies. By whom were the sums to be paid? Not by the Allies, but by the King of France:

there could, then, have been no violation on their part, till Buonaparté had complained to them that he had not received what he was to have been paid, and they had failed to enforce the performance of the treaty which they had made with him. In no other instance had they violated the treaty they had made. Could any one consider the arrangement made with respect to the duchies of Parma and Placentia, and the report of its being the intention of the Allies to dispossess Buonaparté of Elba, as affording a justification of his conduct? The question was, Is the resumption of the government of France by Buonaparté a justifiable cause of war with that country? and his noble friend had stated so clearly how that question rested, that he felt ashamed to dwell upon the argument. The fact was, the Allies did distinctly state, that they would make no peace so long as Buonaparté continued to administer the government of France. If that principle was the foundation of the armistice, the people of France had purchased peace by that condition; and upon the restoration of Buonaparté they had no right to a peace which had been purchased by the dissolution of his government. Buonaparté would not recognise his abdication: if the French were a party to that declaration, then its condition, not being fulfilled, we were still at war with France: if they were not a party to that declaration, then the King of France had no authority to sign the treaty of peace, and we were still at war with France. The next question was, can we avoid the war? and if not, is it probable we shall be able to commence it with better prospects of success at a future period? As to the first of these questions, was there any man in the House or in the country who thought it possible we could avoid the war sooner or later? Look to Buonaparté and his system: there was but one opinion that he would watch his opportunity to commence war with us. It had been said that he was past forty years of age, and not in a condition to conduct an army: if we could count upon ten years of peace, this might be some argument; but a man was not to be set down as decrepid because he was more than forty years of age. Next it was said, that the French were to have a free constitution, which would restrain his authority. He was of opinion, that not much was to be expected from new constitutions, till the people had lived long enough under them to experience that they were conducive to their happiness. It was said, that the war would prevent this constitution from being established. If so, and the effect of the constitution was to be to curtail his authority, then it was the interest of Buonaparté to make war upon us at last, though he might for a while suspend his purpose. It was only by war that he could re-establish his power. As to the second question, the noble earl had gone into great length to show that we should this year commence the campaign with a force inferior to that of the Allies at the end of the war, and with Buonaparté's army more formidable now than it was then. But the noble earl laboured under misinformation as to the actual state of the armies of the Allies. He had also made many animadversions with respect to the conduct of the different Sovereigns, and had indulged in much invective against many individuals among the Allies; although he had at the same time protested against using any harsh language towards Buonaparté. It might have been as well if the noble earl had extended to our friends that moderation which he had shown to our enemy. He had asked, whether we could expect that Italy would rise in favour of the Allies as it did last year? He had never heard of any such insurrection in Italy last year: we had all heard, indeed, that though that country was ripe for such an insurrection, none, in fact, had taken place. The noble earl had then adverted to the affair of Genoa; that question had been already discussed, and the House had not agreed with the noble earl in his opinion, that a gross breach of trust had been committed in respect to that country: indeed, he had never witnessed a more gross, unwarrantable charge against any government. So with respect to the question of Saxony—he trusted that when it should come before the House, their lordships would be of opinion, that the conduct of ministers had been just and politic. It was true, that in two or three instances, some dissatisfaction with military arrangements had been expressed by the Saxon troops under prince Blucher; but when the whole Saxon corps was stated to be under confinement, with a considerable body of Prussians to watch them, he should only answer, by giving the House the last information he had received from that quarter, which came yesterday from a gentleman who had just left that country, namely, that the very guard of prince Blucher consisted of Saxons, and that that general was personally under the care of Saxons only. The noble earl had stated, that neither Prussia, Russia, nor Austria, would be able to march so large a force as last year. The fact was directly the reverse; for all three would march a much more considerable force. The noble earl had talked of the powerful diversion which Saxony would cause; but had omitted to mention the troops of the King of the Netherlands, who had no existence last year. As to the British army, there were, unquestionably, many regiments which Government was not able now to place under the command of the duke of Wellington, which had been so placed last year; but when the noble earl represented his army as no longer so formidable—[Earl Grey interrupted the noble earl to say, that his observation applied only to the diminished numbers of the British troops].—Earl Bathurst continued, that the question was not whether we were as powerful as we were last year, but whether we had a greater prospect of success next year. If Buonaparté's army was so formidable as the noble earl had represented now, it would next year be more formidable. Then it was said, that this was an interference with the government of France. To a certain extent, we had a right to such interference. He protested against carrying this principle beyond what was absolutely necessary; but contended for the right, if necessary, with a view to secure ourselves against serious and alarming danger. If a government exercised its functions in a manner which was dangerous to its neighbours, those neighbours had a right to proscribe that government, if necessary.

Lord *Grenville* said, he considered the present ruler of France as the common enemy of Europe, and had no doubt that if he had been placed in the situation the Prince Regent's ministers had been placed in, that he should have given the same advice as to the present state of war. Now that Parliament was called upon for its support, he could not, after all the consideration he had been able to give the subject, bring himself to doubt that it was their duty to declare their determined resolution to support the Crown to the utmost in the prosecution of the war. But if any hesitation had appeared on the part of the Executive Government, strong as his impression was, he should not have presumed, upon the imperfect, and perhaps erroneous information which a member of parliament was able to pick up, to advise the Government to commence a war which ministers did not think expedient. He expressed some concern that the House were not called upon to consider this subject earlier, for the sake of giving more satisfaction to the country, of counteracting many unfounded opinions, and removing many groundless prejudices. But the delay had afforded him the opportunity of examining and re-examining opinions, of the correctness of which he had so much reason to doubt, when he found they differed from those of his noble friend—of whose judgment he thought so highly. To give an opinion in favour of a continuance of the calamities of war, was a painful task to any man; but it was some consolation to feel that that was the opinion of a man whose whole public life had expressed a general abhorrence of war, and who thought that in order to be just, a war must not only be necessary, but unavoidable. The first question was, whether we had just grounds to consider ourselves at war. There was a saying of Mr. Burke, recorded in those volumes in which, if so many things were often applicable, it was because they were founded on the solid principles of truth—that neither a profitable wrong, nor an unprofitable right, were fit objects to be pursued by war. Even though it were demonstrable, that the greatest possible advantage might be derived from the prosecution of war, yet if it could be shown that the war was unjust, the waging such a war was more unprofitable to its interests than any advantage could benefit them. Much had, of necessity, been said respecting the general right of interfering with the government of other nations. In the abstract principle, that no government had a right to interfere with another, every body would agree. The right was unquestionable, like the rights of men in a state of nature; and if any political state could be found in a state of nature, the rights of a state so separated from the other states would be absolute and undeniable; but it was with societies as with individuals, with governments as with men—when they stand in any relation to each other, they must be contented to see their rights regulated with a view to the mutual rights of all. The rights of others in relation to that state were as sacred as the rights of the state itself. He did not apprehend that this principle would be denied; every page in the history of every country furnished examples of its being acted upon. His noble friend had mentioned two striking instances which had lately occurred. That this principle must not be made the pretext of oppression and injustice, was true of every other ground of war; and there was no legitimate ground of war which might not by abuse be distorted to the purposes of injustice. There was no country which had not tried the effect of a treaty with Buonaparté—which had not experienced that in restraining his power, or diminishing his aggressions, treaties were of no avail whatever. If the House had not been of this opinion, the moment for them to have declared it was when the Prince Regent's ministers signed the declaration to that effect: they should then have required ministers to have withdrawn such declaration in the name of England. He cordially approved of the declaration: on that foundation France accepted the offers of the Allies; and that Government—which was originally a military usurpation—had it been the most legitimate in the world, would, by the misconduct of the Sovereign, have forfeited its title to its King, and have produced the extreme case of the necessity of driving from the throne the person who had so abused his authority. If France possessed the right of choosing her own government, and had, after so many years of war, by which she had been so great a sufferer, made some sacrifices for the advantages of the restoration of tranquillity, her own limitation of that right could not be doubted: and so the bargain was made at Paris. This would appear the true sense of the treaties, looking on the whole business as one great transaction. In civil transactions, some competent tribunal or jurisdiction was referred to, which prescribed certain forms as necessary to be attended to for the regulation of a contract; which he who did not act upon, neglected at his peril. But in affairs between nations, there was no common authority or tribunal to refer to, or which had authority to prescribe: and all that could be required was, to impose on both parties the duty of performing what they undertook. The intention to perform the contract must be made known to all parties, and this was the case respecting the exclusion of Buonaparté and his family from the French throne. The question, therefore, was not on the abstract right of interfering in the choice of a government for France, but on the right of enforcing a solemn treaty. It mattered not what was the case of right, if it was allowed, as no man denied, that France had the right to conclude lawfully the Treaty. That gave to the Allies the right of enforcing it. The Treaty was made, and it could not be lawful for France to break it. It was founded on certain stipulations: but France breaks it, and retracts from part of the bargain; her obligation was the exclusion of Buonaparté's dynasty. The moment that violation was committed, a just cause of war ensued. Their lordships might, though it was not necessary, look back to the War of the Succession, and the original principle on which that war was founded. The Allies, he would not say whether wisely or not, did relax from the original principle of excluding the Bourbon family from the Spanish throne; but they insisted on the means for preventing the crowns of the two nations being worn by the same person. It might then have depended on the life of a weak and sickly child, whether Philip would not become the rightful heir of France. Had the contemplated event occurred, then France would have desired and attempted the annexation of Spain as a province of France; not as it was afterwards, a virtual province, but an actual added province or kingdom. If the policy, then, was admitted to be right, what was the inference respecting the present circumstances? The point then was, not the exclusion of all the Bourbons or others from the throne of Spain, but to prevent Philip 5 from wearing the French crown; and we now said, that by the Treaty Buonaparté cannot lawfully be considered as the Emperor of France. This was our ground, and as to the enemy nothing more was necessary. The case was this: he had violated, and the Allies claimed the observance of the Treaty. It was fitting to show to France that we were justified in those steps which might bring on France all the calamities of war. His opinion was, that there was no option left us; nor any grounds for long deliberation. We were placed by an imperious necessity in a state to do what could not be avoided. The first great point of importance was the observance of the Treaty. It was no light matter after twenty-five years of trouble, and even at the close of war, to find in France the prevailing passion which occasioned the early calamities—a passion under the dominion of which, she was preparing to commence a new war. Could France alone have a right to examine, question, or cancel treaties, without assigning any reason why she was not bound by them? If there remained any hope for the maintenance of peace in Europe against such a power as France, it must be grounded upon a determination that she should be bound by the force of her contracts. Europe was not to tolerate her principles of destroying treaties, such as she avowed in the case of the opening of the Scheldt, for instance, some years ago. So now she renounced her contract by one of the most insulting papers ever known in the annals of diplomacy, called by Caulaincourt "a proposition for peace," which was founded only on this—that France might, at her pleasure, dispense with all compacts. What occasion was there now for the question whether relations should be entered into with France, seeing that she had shown that she would not abide by any treaty? She gloried in violating a treaty. She scattered it to the winds. By twenty-five years of fatal experience, she had taught Europe how she appreciated treaties. Other securities must, therefore, be found for her than those of solemn compacts. To all propositions from Buonaparté there was an insuperable objection. He could offer no security. We had now a duty imposed upon us. He had flagrantly broken his faith; and because he had done so, were we to break faith with our Allies? If they called on us to enforce an unjust demand, we might reply, that we were no party to the matter. If they called on us to support one, which though just was yet new, we might say, that the interest of the country was to be first considered. But our Allies now called upon us only for the observance of a treaty agreed to by all, and we could not consistently set up a plea of our own interest as a reason for not assisting in securing its observance. To refuse to maintain the Treaty of Paris, would be conduct towards our Allies of a character similar to the bad faith of Buonaparté. There were yet other grounds for deciding on this fearful alternative. He held good faith to our Allies to be indispensable; but his real opinion was, that it was essential to the general security of all (he knew not how to make shades of difference), that the stipulations of the Treaty should be enforced. No reasonable man, certainly no man in that House, could confide in the security to be found in treaties with Buonaparté. Security must be looked for in other means. Speaking of the security or insecurity of treaties, he should not attempt a statement of how many violations of treaties Buonaparté had been guilty; but he would ask any one to show him a single country during the last ten or twelve years, which had sought peace or safety by treaty with him, that had not found itself visited with the aggravation of the very evils it had so attempted to ward off? Instead of enumerating violations, he would ask, who would rest his security on Buonaparté; and who would point out a treaty with him that was not followed by the detriment of the other contracting party? His noble friend, in a laudable anxiety for peace, which he fully shared with him, had indulged in expectations in which he (lord Grenville) could not indulge. Age certainly imposed limits on the activity and ambition of man; but, with respect to Buonaparté, that period had not as yet arrived. As little could he trace as to the amendment of his disposition. God forbid he should suppose that no amendment could take place in any man: but in looking to the general safety of nations, and to the happiness and existence of his own country, he could not rest upon probabilities merely, where especially he saw no reasonable hopes, and when the very act of the man which occasioned the present crisis, was one of the strongest examples of his faithlessness and ambition which his life had offered. Lord Grenville said, that from any means of information which he possessed, he knew not how to estimate the proportion of those in France who desired the return of Buonaparté, and of those who wished for any other government. It appeared, however, that he was replaced by the active efforts of the military. There were no traces of any other interference. Though he could not estimate and distribute the different proportions of the opinions of the French; yet from all he had heard, from every report on the subject that he had read, it did appear that under Louis the 18th the army felt a radical discontent at the pacific principles of that monarch. His moderation and pacific disposition was the very cause, for which, as for a crime, he was deposed. He was the victim of peace. He was the sacrifice of his good faith. He had not suffered, like his unfortunate brother Louis

16, upon charges alleged against him, for designing to violate the liberties of France, or for any harshness of proceeding. His Government was a government of lenity. It could not be charged against him that he was shaking the constitution that had been formed. Though it was the interest of the present Government to find out charges of a disposition to unsettle the present state of property in France, he had not been able to discover a single proof of any such accusation. The lawful assemblies under the new constitution paid him all allegiance up to the very moment that he became an exile. It was because he was the friend of peace, and was desirous to keep peace with the other countries of Europe, that a soldiery, accustomed to rapine, and raised by their former Chief to principalities and powers, carved out of the just rights of other people, were discontented, and desired no Monarch, but a General prepared to renew the work of spoliation. Was it nothing now to be desired to sanction a system under which Europe had so long groaned, with such an army and such a chief at its head? If his disposition was said to have undergone some change, his situation again was now changed; and as the army was formerly upheld by spoliation and plunder, so now, for the same objects, he was recalled by his former instruments, who alone could maintain him in his regained power. As to new constitutions, he was firmly of opinion, that a good constitution could only be formed by the adaptation of remedies from time to time, under the circumstances which required them. The only exception mentioned was that of America; but that did not apply. The founders of that constitution acted with great wisdom. It was framed so as to produce as little change as possible in the existing laws and manners under the altered form of government, which, though a republic, was constructed as nearly as the difference would admit, on the monarchical form of our own constitution. If any person would consider the present situation of Buonaparté in France, it must appear that, judging by all human probability, it would be necessary for him (even supposing we were inclined to remain at peace with him), to keep his army in humour with him, by leading them on to some fresh aggression against some foreign nation; which would force us into the contest, however we might be disinclined to it. If we looked at all his former policy, we should see that he was under a sort of necessity of maintaining his power by the same means by which he had acquired it. Against his recurring to his former policy, his noble friend appeared, by the amendment he had moved, to consider that it would be sufficient security for this country to continue in peace with him. A state of peace did not, however, now exist between us and Buonaparté. We had now no treaty with him; and he wished to know upon what grounds we could now negociate with him? In the overture, as it was called, that Buonaparté had made to this country, he mentioned nothing about the Peace of Paris, nor even condescended to say any thing as to the terms on which he was disposed to treat with us. It appeared, however, by lord Clancarty's letter, that the proposal which was forwarded to Vienna, was, that he was content to abide by the Treaty of Paris. He, for his part, had always thought that by that Treaty, the great points which remained to be settled for the future peace of Europe were left too undefined. It was settled, indeed, that France should preserve her ancient frontiers, and that we were to restore to her the greater part of her colonies. All the other great interests of Europe were, however, reserved to be discussed at the Congress, to which France also sent her minister. Now, if it were proposed to negociate for peace with Buonaparté on the terms of the Treaty of Paris, was it also to be left open to him to interfere in all those arrangements that by that Treaty were left undefined, but which had since been agreed upon by the different Powers at Vienna? If this was the case, even although we might take the Treaty of Paris as the foundation of peace, we should soon find ourselves entangled in a hostile negociation with Buonaparté, about those other interesting points which had been happily settled, after long deliberation, by the Congress at Vienna. With such a wide field of discussion thrown open, what hopes could there be of the defensive system being long maintained? It was impossible for their lordships not to recollect what differences had existed between the Powers of Europe upon those points, when they were under discussion. How greatly would those differences be increased, if those discussions were now to be re-opened, and Buonaparté was admitted to become a party in them. Under such circumstances, and with all the opportunities he would then have of sowing divisions, what hope could be entertained of preserving the defensive system recommended in the Amendment to the Address?—[Lord Grenville here appeared to be taken suddenly ill, and concluded rather abruptly, by stating, that for the reasons he had stated, he should support the Address.]

The House then divided, when the numbers were,

For the Amendment—Present ... 35
Proxies... 9
— 44
Against it—Present... 102
Proxies... 54
——156
Majority for the Address... 112

List of the Minority.

DUKES.
Sussex
Norfolk
Somerset
Grafton
Devonshire
Argyll
MARQUISSES.
Lansdown
Douglas
Wellesley
EARLS.
Derby
Essex
Albemarle
Jersey
Cowper
Ilchester
Carnarvon
Grosvenor
Darnley
Charlemont
Donoughmore
Stanhope
Cork
Grey
Rosslyn
Lauderdale
Visc. Torrington
LORDS.
Say and Sele
St. John
Byron
King
Montfort
Foley
Hutchinson
Auckland
PROXIES.
Marquis Downshire
Earl of Thanet
Earl of Guilford
Duke of Leinster
Earl Besborough
Earl Spencer
Viscount Anson
Lord Crewe
Lord Dundas

HOUSE OF COMMONS.

Wednesday, May 24.

MOTION RESPECTING THE GRANT TO LORD MELVILLE.] Lord *Milton*, on rising to bring forward a motion on this subject, with the particulars of which the House, he said, were well acquainted, disclaimed all motives for interference but those of his public duty. He had no feelings of an adverse nature towards the deceased nobleman or any of his relatives or friends, but on public grounds only he deemed it necessary to take up the subject. The history of the grant might be traced to the letter of the earl of Buckinghamshire to the Court of Directors, of the date of the 12th January, 1814.* This letter, which had long been before the House, referred to a conversation which the noble

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* COPY of a LETTER from the Right Honourable the Earl of Buckinghamshire to the Chairman of the East India Company, dated the 12th January 1814, referred to on the Minutes of the General Court of the 4th May, 1814.

" *India Board, January* 12, 1814.

" Sir; Understanding from the conversation I had with you and the deputy chairman, that the Court of Directors have not yet come to any determination respecting the continuance of the pensions granted to lord Wellesley, lord Melville, and myself, I consider it my duty to state, as distinctly as I can, my sentiments upon the subject.

" With reference to the grant to lord Wellesley, I should ill discharge the functions of the office I have the honour to hold, if I did not convey to you my decided opinion, that no man can read the Records of the East India Company during the period that lord Wellesley filled the situation of Governor-general of India, without being impressed with the deepest sense of his eminent services; and whatever differences of opinion might have occasionally arisen between him and the Court of Directors upon particular points, the exertions he made, the talents he displayed, and the benefits he rendered, were of a nature to entitle him to a signal and substantial reward; and that the continuance of his pension would not only be an act of liberal and wise policy, but of strict justice on the part of the East India Company.

" The pension granted to the executors of the late lord Melville is connected with circumstances which it may be a little difficult to discuss; but which, in order to make myself clearly understood, I cannot entirely overlook.

" Upon an examination into the state of the late lord Melville's affairs at his death, it was found that his property was inadequate to the payment of his debts by a very large sum, for which the present lord Melville has made himself responsible.

" Into this voluntary engagement he was induced to enter, at great personal inconvenience to himself and family, his property being settled, from a sense of earl, as president of the Board of Control, had had with the chairman of the India Company; but there was no parliamentary knowledge of the subject previous to this letter. It recommended the granting of a sum of money to the present lord Melville, a person who was not a servant of the Company, but a minister of the Crown; it stated the high situation held by his lordship's father, and recommended, that to avoid the discredit which would attach to his memory, by the non-payment of his debts, the sum of 20,000*l.* should be proposed to the Court of Directors to be granted to his son. The great object, however, of the Board of Control, was to prevent the lavish expenditure of the funds of the Company, and the object of the Act by which it was formed, was to check profusion and corrupt practices in India. But he would contend, that it was equally within the view of the Legislature, to extend the operation of the Act to the prevention of such practices at home, or to any quarter of the globe where they might take place. It was an object of the Act to prevent the originating of any grant with the Board of Control. He then insisted, that the letter was a public document, and not a private communication, as had been maintained by the gentlemen opposite. He proceeded to contend that the late lord Melville, if entitled to compensation, should have received it by a vote of Parliament as a servant of the Crown, and not from the funds of the Company. This body and the King's ministers had not only separate, but often conflicting interests; and he would ask, whether it was fit or decorous that a person who was placed in the very office of controlling the Company should receive rewards from it? The view that the Court of Directors appeared to take of the communication, was perfectly honourable and consistent. They resolved that the letter should be submitted to a general court of proprietors, and having done this, they deemed it their duty to go no farther. The last-mentioned court, however, decided by ballot, that the grant should be made;

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what was due, particularly to the high stations his father had held in public life; and to avoid the discredit that would attach upon his memory, had his debts remained unsatisfied.

"Under an impression that the extension of the grant to the late lord Melville to his executors might have been made amongst other considerations, in the contemplation of his debts, and the inadequate means his property afforded of paying them, I venture to state these circumstances to you, and to submit for your consideration (the sum of 20,000*l.* being still unprovided for), the propriety of proposing to the Court, that the grant should be continued for a period that would discharge that sum.

"If the estimation in which I hold the late lord Melville's services to the East India Company be ill founded, the proposition will have little weight with your Court; but if I justly appreciate them, I am confident that the suggestion I have made will not fail to receive that attention to which it appears entitled.

"With respect to the pension granted to myself, I should observe, that upon my appointment to the office of president of the Board of Control, I intimated my intention to forego the receipt of the pension during the period of my continuance in that office; and I certainly was determined, at all events, to persevere in that intention.

"At the same time I must candidly acknowledge, that adverting to the terms upon which the charter was renewed, it did not occur to me that any question was likely to have arisen upon the subject of the existing pensions: as, however, it has arisen, I must request that the business, as far as my pension is concerned, may not be agitated at present.

"In the exercise of my official duties, I ought not, in the opinion of any man, to be liable to the imputation of acting under feelings of personal disappointment, or open to the charge of disregarding an obligation conferred.

"If the Court should be disposed, let them take up the subject whenever I leave the office of president of the Board of Control; they will then, as at present, have their own records to refer to for the grounds upon which the pension was originally granted, and they will enter upon the consideration of it under circumstances wholly free from the objection that has presented itself to my mind; and I would add, on that account, far more satisfactory to my own feelings. I have the honour to be, Sir, &c.

(Signed) "BUCKINGHAMSHIRE."

Robert Thornton, esq.
&c. &c. &c.

but this did not change the nature of the application, which was like canvassing for money, and a precedent for trucking the patronage of the Government for the patronage of the Company. Such a grant was peculiarly inappropriate at a time when the right hon. gentleman connected with the Board of Control (Mr. Wallace) was passing a Bill through the House to prevent the Company from granting annuities to the widows and chidren of their own officers and servants. It was only two or three sessions ago since the Company came to Parliament to beg a loan, and got two millions and a half advanced to them; and it was admitted by those who took the part of the Company, that the latter had by this means got a balance of 900,000*l.* in their favour; and the very next year the ministers go to the same Company whom they had been obliged to bolster up, and ask them to give 20,000*l.* to one of their friends, at the very time when they were unable to reward their own servants. On the whole, considering the circumstances under which the grant had been made, it was a subject which called loudly for an expression of the opinion of Parliament, as a job which was corrupt in its conception, and mischievous in its effects. He should therefore propose certain resolutions of censure on the president of the Board of Control. The noble lord then moved, "That the copy of minutes of the Court of Directors of the East India Company upon the reference made to them by the general Court of Proprietors on the 9th of June 1814, to consider that part of the Letter from lord Buckinghamshire which relates to the pension heretofore granted to the late lord Melville, might be read;" and the same being read, the noble lord next moved,

"That, in transmitting the said Letter to the chairman of the East India Company, the president of the Board of Commissioners for the affairs of India has acted contrary to the spirit of the Acts 24 Geo. 3, st. 2, c. 25, and 33 Geo. 3, c. 52, by which the said Board was established and regulated, inasmuch as he has thereby originated a grant of money out of the revenues of the Company:

"That this House cannot but view with extreme jealousy and apprehension the encouragement to a lavish expenditure of the resources of the Company, which has been thus given by the first commissioner of that very department whose peculiar duty it is to check and control such expenditure:

"That the conduct of the earl of Buckinghamshire, as president of the Board of Control, in suggesting a grant of money by the East India Company, on the ground of services performed by a former president of the said Board, tends to introduce a system of intercourse between the said Board of Control and the East India Company, contrary to the intent with which the said Board was established, and highly prejudicial to the public interest."

Mr. *Wallace* said, he gave the noble lord full credit for the motives of public duty which had induced him to bring the present subject under the consideration of the House, and he trusted that he would do him the same justice in believing that, taking a totally different view of the whole question, he felt it with equal sincerity a duty to resist it; that he did so because he did not think the character he had given of the letter of the president of the Board of Control was fairly attributable to it, or that by writing it that noble person had done what was either inconsistent with his duty, with the Act of Parliament, or with the acknowledged rights of the East India Company; that he still entertained the same opinion of the letter in question he had repeatedly given, that it was in its nature and character a private one; but supposing it to be otherwise, and to have possessed any circumstance which the law required in the official communication between the Board of Control and the East India Company, he had yet to learn, that it constituted a violation either of the letter or spirit of the Act of Parliament.

It was contended, that the Board of Control were precluded from originating grants of money. If it was meant that they were precluded from giving officially directions for any grants of money of any description, he perfectly agreed in it; and though the words of the Act applied strictly only to the funds in India, he admitted that the principle of the provision went generally to the protection of the funds of the Company, and the restriction might, therefore, be fairly argued to comprehend their fuuds both abroad and at home. But it by no means followed, from the Board being precluded from directing by its authority a grant of money, it was necessarily precluded from suggesting the propriety of making one as a matter of consideration to the East India Company. What was the nature of the restriction on the subject? It was this: Parliament having given to the commissioners for the Affairs of India the most extensive powers over the whole of the civil and military affairs and revenue of the Company—to call for, to alter, to originate dispatches concerning them,--makes the exception, amongst some others, of grants of money, and provides, that under no circumstances they are to give directions on this subject, whatever they may do on others, independent of the concurrence of the East India Company. Many are deceived by the name which is in familiar language given to the commissioners for the Affairs of India, of the Board of Control, and suppose that its province is confined to checking and controlling the acts of the Company; but their powers, as described by the Legislature, are those of superintendance, direction, and control; and in prohibiting an authoritative direction for a grant of money, it did all that it meant to do; it required, that as on one hand the Company were restrained from burthening their funds by grants without the approbation of the Board of Control, so on the other the Board of Control should not impose any burthen on them without the concurrence of the Company. This, with the responsibility of the Board for its approbation, was the security intended to be taken against improvident applications of the Company's funds; and this, by the words of the Act, is effectually obtained. If, then, superintendance and direction are a part of the duties of the Board, with powers the most extensive attached to them, it would be difficult to maintain that they were precluded from offering suggestion or advice on any subjects which may affect the interests of the Company; although, for especial reasons, on particular ones they may want the power of enforcing obedience.

The motion of the noble lord spoke of 'originating' a grant of money as being contrary to the spirit of the Act of Parliament. For his part, he knew not how to collect the spirit of an Act but from the words of it—nor when the words were clear, did he see any reason for referring to any supposed spirit of an Act to explain them. In the words he saw a precise description of what powers the Board of Control were and were not to exercise; and if that which it prohibited, was not done, he did not know how the law was violated. He hardly understood what was meant by 'originating.'—If the submitting a matter to the consideration of the East India Company, against that there was no inhibition; if to take any effective step towards making the grant, as is done by a motion in the House, that had not been done. So far, however, from being precluded from making suggestions to the Company, he was satisfied it was a part of his duty, nay, that he was bound to do it by his oath, in any case in which he deemed it for the advantage of their affairs. The oath of office was, 'to give the best advice for the' &c.; and on the subject of grants of money as well as all others, that advice the commissioners were bound to give whenever they conscientiously believed it to be expedient.—Could it be contended, that in the case of meritorious service being passed by without notice,—as for instance, that of the lamented general Gillespie at Vellore, where by his promptitude, energy, and courage, he subdued a mutiny which threatened the very existence of our Government,—that if his service had not been adequately acknowledged, the Board of Control would not have neglected its duty in not calling to them the attention of the Company?

The Act conveyed general powers with certain exceptions—was this among the exceptions? If it was, he desired to see it; if not, he called upon the House not to suffer what was called the spirit of the Act, which each man might understand differently, to be set up against the letter of it. Under this practice no public servant would be safe in the performance of his duty. He might suppose that, attending to the prescriptions of law, he was safe, and he might be safe against legal prosecution; but was he safe, if, by some fanciful interpretation of the noble lord or any other individual, of the spirit of the law, he was liable to be exposed to what, both to his interests, his character, and his feelings, was not less grievous than the consequences of any legal proceeding—the censure and animadversion of the House of Commons? There was nothing of which the House was more justly jealous than the exclusive right of originating grants of public money; but the most jealous patriot never imagined the rights of the House were invaded by the recommendation of the Crown. The Crown was restrained in its power of making grants beyond a specified amount; but was it contrary to this salutary provision, that the Crown should suggest to Parliament the expediency of making them in distinguished instances of public merit? The ministers were responsible for the recommendation, the Board of Control was the same for the advice it gave to the East India Company; and as well might the noble lord propose to impeach the ministers for the recommendations of the Crown as infringing the rights of the House of Commons, as censure the Board of Control for similar recommendations to the East India Company. The protection is in both cases the same. If the recommendation originates a grant in one case, it does the same in the other. But, in fact, it did so in neither; as it had no power, no efficacy towards the grant, but that which the body to whom it was addressed thought proper voluntarily to assign to it. This would be the case in respect to an official recommendation, if such had taken place. But no such thing had, in point of fact, occurred. The letter wanted every circumstance that could render it an official or public communication. They had now the real history of the letter and its origin; which, on a former discussion, they were not possessed of. It was stated in Mr. Thornton's speech at the India House, on the 9th of June 1814, and it appeared that the chairman and deputy chairman having been pressed upon the subject of the expiring pensions after the renewal of the charter, thought it right to ascertain the sentiments of the Board of Control in reference to them, before any step was was taken, as the effect of any resolution of the directors or proprietors must depend ultimately on the opinion of the commissioners. They therefore in conversation with the president of the Board of Control asked his opinion, which he gave; and afterwards, at their desire, and for the eventual satisfaction of the Court of Directors when the subject should come under their consideration, reduced it to writing. Such is the history of this formidable epistle—this dangerous invasion of the rights of the India Company;—it was not even a voluntary act on the part of the president—it was a mere acquiescence in the wishes of the chairman, and expressly for the satisfaction of the Court of Directors themselves—written without a view to influence, and which, in fact, never did produce the smallest influence on the minds of those for whose convenience it was written. If there was offence in this, it was more in the chairman who solicited the letter, than in lord Buckinghamshire who complied with his request;—but offence there could be none, it was the mere minute of a private conversation, which was no more an object of censure than the conversation itself; and it would be difficult to prove that a confidential communication between the president of the Board of Control, and the chairman of the East-India Company, was exceptionable on any subject relating to the affairs of the Company, on which a discretion was to be exercised—in which a concurrence between the authorities was indispensable, and in which, besides, the president himself was personally interested, and on which, if it was not absolutely essential, it was at least convenient for the Company previously to collect what opinion the Board of Control was likely to entertain.—Was there, then, the smallest ground for suspecting a wish on the part of the president of the Board of Control to assume an authority that did not belong to him, even if his conduct on this occasion was without precedent, while precedents of similar recommendations offered themselves? In a variety of instances the same had been done by successive presidents of the Board of Control, and particularly in the instance of lord Buckinghamshire's own pension, by the late lord Melville:—this instance appeared to afford the best comment on the intention of the Act, as it was impossible, if such recommendations were intended to be prohibited, the author and producer of the Act himself could have violated it by transmitting them.

The noble lord had dwelt on the danger of such a proceeding; what the amount of the danger was, might be estimated by the effect produced. What was that effect? Was the annunciation of the pleasure of the president of the Board followed by by a ready recommendation of the grant in question on the part of the directors?—far from it—it fell a dead letter, without receiving, as it should appear, the smallest notice—it possessed no legal authority, and none would they give to it—when the other pensions were recommended by them, on that of lord Melville they were studiously silent, and even when again referred to them for an opinion by the vote of the proprietors, they deliberately refused to pronounce one. Such was the result of this dangerous and unconstitutional invasion of the rights of the East-

India Company. If ever there was an act to which this character less belonged than to another, if ever there was a case that had by its origin, intention, and effects, more rescued itself, than another, from the charge of unwarranted assumption or dangerous pretension, it seemed to him that this was the very one he should select.—But why was this grant chosen in particular? If there was any thing unconstitutional in delivering an opinion, it applied as much to the case of lord Wellesley's pension, as the grant made to lord Melville.

Contending, then, as he did, that a recommendation of a grant of money was neither a transgression of the law, nor inconsistent with the duty of the president of the Board of Control—he admitted that for such a recommendation he was responsible, and an improper one would afford a fair subject for the animadversion of the House;—he admitted, too, that *prima facie* the recommendation of a grant to a colleague in the government, whether a predecessor in office, or otherwise, was objectionable, and that special grounds must be adduced to warrant it. On the other hand, he expected to have it conceded to him, that if a man stood in a situation which rendered him a just object of the liberality of the Company, independent of any personal pretensions of his own; the circumstance of his being a minister ought not to deprive him of the benefit of it. Nothing would be more unjust, than that a man whose claims were derived from the services of his father, if in a private situation, should have those claims recommended and allowed without objection, while if he happened to have merits of his own, which had placed him in an exalted station in the councils of his country, they were all to be disputed. He did not urge lord Melville's situation as a ground of pretension; but he contended against the injustice of its being deemed a disqualification and forfeiture of other past claims. Lord Melville's station and personal circumstances were nothing in the question, except as far as they might have an effect in giving a direction to the species of acknowledgment, if any was thought due, for his father's services, that might be most desirable to the family; and Mr. Wallace said, he had always regretted that they were brought so much into notice.

He was surprised to hear, on a former occasion, an observation from a director, that he had 'disapproved the grant, because Lord Melville had personally done nothing for the Company.' On such an argument he would not throw away an observation; he was sure it was unnecessary—it went to take away from any man the inheritance of his father's merits, and from the country the benefit of the inducement to splendid exertions, arising from the hopes of the effects of public gratitude extending themselves to the families of those who had deserved well of the country. The House had never acted on so narrow a principle; they had conferred their well-merited rewards on the families of Abercrombie and Nelson, and others whose services had made them worthy of it. The India Company itself had done it to the family of lord Cornwallis. What had the present lord Cornwallis done for the Company?—Not more, certainly, than the present lord Melville. And why was one to inherit the services of his father, and not the other?—But it was said, the late lord Melville was not a servant of the East-India Company, and that as a servant of the Crown he could not constitutionally receive the reward of his services from any quarter but the Crown. He knew no law, he knew no principle in the constitution, that prescribed this! Indeed, it appeared to him, that the practice under the constitution directly contradicted it—honours and offices it was the prerogative of the Crown to confer; but so far from that being the case with respect to pecuniary rewards, the Crown was restrained from granting them but to a very limited extent; and if it was desirous of carrying them further, it was by the assistance and act of this House alone it could be done.

It had been done in repeated instances by the East-India Company to servants of the Crown—to sir Sydney Smith, to general Gillespie, and to lord Nelson—to the latter of whom, for the battle of the Nile, they had made a grant of 10,000*l.* With respect to the precedent, he could see in it no danger. The circumstances that attended the late lord Melville's connexion with the India Company's affairs, and the services he had rendered, were so great and of so peculiar a nature, that they scarce could be expected to recur again, and the acknowledgment of them could therefore form no precedent that could be often insisted upon. The single question was, the value of those services to which he had alluded. However gratifying it would be to his feelings to enumerate the public services of lord Melville, it was a task to which he was conscious of being so totally unequal, that he would not venture to attempt it. To lord Melville, indeed, the debt of gratitude from the nation was great—but that of the East-India Company was almost incalculable. If to have devoted the greatest portion of a long political life and the most eminent talents to the study of their interests—if to have fought their battles in the hour of danger, against obloquy and prejudice, and successfully supported them against a powerful government resolved on their destruction—if to have rescued their affairs from that chaos in which they were involved, and which was the justification for seizing on their rights and violating their charter—if to have been the author of that system under which their affairs had now been administered for thirty years, to the sound principles of which experience as well as the recent judgment of Parliament had borne the most unequivocal testimony—if under that system to have superintended their affairs for seventeen years with unremitting attention and unexampled success—if under his auspices regularity was substituted for confusion, affluence for embarrassment, and prosperity for disorder and distress—if finding them happy in having with difficulty maintained their comparatively limited dominions from the attacks of the native princes, he left them the predominating power in India—if, by his foresight and vigour, to have defeated the invasion of Egypt, avowedly directed against their possessions in India—if to the protection of their dominions from without, he added that earnest solicitude to ameliorate the condition of the inhabitants of those dominions, which produced that great measure which had been justly designated the Charter of India—which was founded in the highest principles of policy and humanity—by which fixing firmly the hitherto fluctuating claims of government, he cut off the source of all the woes of India, gave effect to the rights, and protected the people against extortion and suffering, and laid the foundation of the general as well as individual happiness of that mighty empire—if by such services, gratitude towards a family can be merited, no one will contend that they have not been more than merited by the late lord Melville. These merits were unanimously acknowledged by the directors in 1801, when the most honourable expressions of regret and gratitude followed him into retirement.—Mr. Wallace concluded by saying, he feared no precedent founded on real public services, and that he hoped this grant might excite in others similar zeal and similar exertions; and he did not think he could form a better wish for the interests of the Company or of the public as connected with India, than that there might be hereafter many claims founded upon services of equal value and equal importance.

Sir *John Newport* contended, that the letter of the President of the Board of Control stated as the ground of the grant which he recommended, that the property of the late lord Melville was inadequate to his debts, and that the present lord Melville had made himself responsible for them. The question, therefore, was a very different one from that of the merits or demerits of the late lord Melville. It was, whether a president of a board appointed by Parliament to control any undue and improper application of money ought to advise a grant of money to one of his own colleagues, for the sake of relieving him from his father's debts, for which he had made himself responsible. The precedents quoted by the right hon. gentleman from the records of the Board of Control, were not applicable to the present case—they were grants to old servants or their widows for military services. But could he produce a single instance of one Cabinet minister recommending a grant to another Cabinet minister from these records? What danger could there be in granting public money for naval and military services? It was impossible, however, not to see the danger of making such grants for services rendered by ministers either in or out of parliament. It was contended by the right hon. gentleman, that it could be shown from the Act of Parliament, that it was competent to the president of the Board of Control to make such a recommendation. But the right hon. gentleman ought to have done more—he ought to have not only shown that it was legal, but that it was proper. The services of the late lord Melville had been rendered to the public as a public servant, and not as a servant of the East India Company; and if it was thought that those services had not been sufficiently rewarded, the remuneration ought to have been granted by the House, at the recommendation of the Crown. He contended, that this reward was granted by the Company at a time when they were unable to pay the sum stipulated for to the public. The recommendation had originated in a private conversation between the President of the Board of Control and the Chairman of the Court of Directors. When the letter was communicated to the Court of Directors, they showed the sense in which they viewed it, by passing to the orders of the day. The matter was brought before the proprietors; and yet, coming with all the recommendation of the undue influence of the Crown, the question was only carried by a majority of 175, and 280 proprietors had voted against it.

Mr. *Whitshed Keene* observed how little our empire in India depended on the physical strength of this country, independent of the more powerful force of moral agency. This strength, the very foundation of our authority, was owing in a great measure to the wise and energetic measures pursued by the late lord Melville, whom he eulogized as the greatest benefactor of India. Considering him in such a light, he had voted originally, as a proprietor, for the grant, and he should now oppose every motion that tended to question its general policy.

Lord *Archibald Hamilton* supported the motion, on the ground of the mischievous tendency of the recommendation. In his opinion, the letter bore every mark of publicity that was necessary. It originated from a public office, was written on a public subject, and was attended with all the consequences and influence of a public communication. Regarding it as such, he must consider it the act of a minister, and censure it as an improper exercise of ministerial discretion. It was said, that the noble earl at the head of the Board merely gave his advice; but really the advice of such a personage to the court of proprietors, was like what they had heard of the advice of the Company to an Indian power, which would hardly be disobeyed. It was said, that lord Melville brought in the Act establishing the Board of Control, and therefore he must have understood it: but this remark was peculiarly unhappy, for it would be recollected that the noble lord did bring in another bill, which either he or the House of Commons did not understand aright.

Lord *Castlereagh* conceived that the House were not to judge whether the grant was advisable or not; that question should be left for those individuals, whose property was involved by their own decision. He dwelt with particular emphasis on the opinion expressed by Mr. Whitshed Keene, whose general experience and large property in the India stock, entitled him to every attention on the subject. He contended, that the grant of money, in recompense for actual services, was perfectly consistent with the "due administration" of the Company's money, required in the oath of the commissioners. In this, both the letter and spirit of the Act of Parliament completely concurred. He contended that there had been no infraction of the letter or the spirit of the law, in the correspondence which had taken place between the Board of Control and the East-India House, such correspondence between them being indispensably necessary, and not more to be complained of than conferences between the two Houses of Parliament. The letter could not be considered as official, whether in its origin or consequences; it arose from a casual circumstance, and was attended with no result, for the Court of Directors paid no regard to it, and the grant of the money was the voluntary act of the Court of Proprietors. Could it be said that any undue influence was exercised over them, or over the fourteen gentlemen who subscribed the requisition? As to the favour or affection which was supposed to influence the Board of Control in contravention of their oaths, he denied the supposition, and considered it a mere colouring thrown over the entire question. The advice was given conscientiously, and perhaps a similar imputation might be thrown on acts performed by the right hon. baronet (sir J. Newport) when in office, yet which were performed most conscientiously. He concluded by opposing the motion.

Sir *J. Newport* understood the speech of the noble lord to convey an insinuation, that he, when in office, might have recommended a grant to some of his friends. If he meant any thing of this sort, he had better speak out.

Lord *Castlereagh* had only meant to say, that the right hon. baronet might have been placed in a situation in which he would have been able conscientiously to act as the earl of Buckinghamshire had done with respect to lord Melville.

Sir *J. Newport.*—Never to give money to my colleagues.

Mr. *Howorth* observed, that the letter was considered not as originating a grant of money, but as merely recommendatory, and that on a very particular reason—the debts of the late lord Melville having fallen on the present. But how did the noble lord who wrote that letter know of the private affairs of lord Melville? Was he left executor of the will? was he a trustee under it, that he should thus stigmatise the dead, and pauperize the living? He remarked on the depressed state of the India Company's finances, of which he drew a very gloomy picture. At the time of their coming to the House for assistance, their paper was in a very depreciated state in Bengal, and they were obliged to have recourse to a very extraordinary mode of raising the loan, holding the Treasury open for twelve months, to receive money from every quarter. Surely, when the pecuniary concerns of the Company were so embarrassed, the President of the Board of Control had not paid a due regard to their interests, when he recommended such a grant. It was true, a majority of the proprietors expressed themselves in favour of this grant—but it was most extraordinary, that the three worthy aldermen who had voted for it, and who had made themselves so conspicuous on that occasion, were now present to state their reasons for the course they had adopted.

Mr. *Wallace* entered into a short statement, to prove that the pecuniary affairs of the Company were not so deplorable as the last speaker had described them to be.

Mr. *Marryat* observed, that it was highly honourable to the late lord Melville, that the subject had been taken up by the Propriétors, over whom it was not likely that any influence could be exerted, instead of the Court of Directors, who might have been open to the suspicion of an improper interference. He conceived the Proprietors, in coming to the vote they had done, at once spoke the high sense they entertained of the services of the late lord Melville, and paid a proper tribute to the virtues of his son, who had undertaken voluntarily to discharge his father's debts. He should oppose the motion.

Mr. *Ponsonby* said, that as the present question related to the conduct of a noble earl in the discharge of his public duty, he felt himself bound to express an opinion on it. He could not think that the course adopted by the president of the Board of Control on this occasion, was correct or justifiable. If the merits of the late lord Melville were so great as they had been represented, it was very strange that neither the Court of Directors, nor the Court of Proprietors, had noticed them, and, by a spontaneous and voluntary act, granted that remuneration for past benefits, which had since originated with the Board of Control. It was said, that in recommending this vote, the Board of Control had committed no violation either of the letter or spirit of the Act. The letter of the Act was not invaded; but, he was by no means satisfied, that its spirit was not violated. One of the provisions of that Act went to prevent the Board of Control from originating grants of money; another rendered it necessary for the Company, where they made a grant of more than 200*l.* a year, to submit it to the Board of Control for their approbation. From this it appeared, that one of the principal duties of that Board was, to superintend, and if necessary, to correct, the expenditure of money by the Court of Directors. It did appear to him, that the grant now in question was not given for the services of the late lord Melville, but that it was made for the convenience of the present lord. If the merits of the late lord Melville were so great, why was not a grant agreed to in his lifetime? It was rather extraordinary to wait so long for the discovery of those circumstances, before the Company felt his merits to be such as to call for this large sum. And here he begged to observe, that the circumstances of the late lord Melville ought not to operate in a case of this kind. For had he been the the richest man in the community, he might have performed those services which called for remuneration; and it would have been equally proper to have offered the reward, thus earned, although probably it would not have been accepted. It was said, that the letter of the noble earl, in this case, did not influence the East India Company. He knew the letter did not contain any thing that could strictly be called matter of influence, as it respected the Directors or Proprietors. But could any man, candidly speaking, think that the suggestion or recommendation of the president of the Board of Control, urging, as he did, the Court of Directors to do something for the late lord Melville's family, would have no effect? Could such a document be received, without producing some degree of influence? It was, however, observed, that this letter had not induced the directors to do the act recommended, since that act originated in the Court of Proprietors. This was perfectly true—the papers proved the fact. But why did not the proprietors perform this act, before the letter was sent to the chairman of the Court of Directors? It was competent for them to have proceeded before, as well as after the receipt of that letter. Indeed, had they voted this sum of money in the first instance, the grant would have come with a much better grace. It would then have appeared to have originated with themselves, and not to have arisen from obedience to the directions of a higher power. He felt a very great personal respect for the noble lord at the head of the Board of Control, but, in this instance, his interference was by no means correct. He was almost the last man who ought to have made such suggestion to the Court of Directors. The noble lord opposite (Castlereagh) had argued, that there was no more impropriety in a mutual communication between the Board of Control and the Court of Directors, than there was in a communication between the two Houses of Parliament. This was a very unfortunate illustration of the noble lord's proposition. The different parts of the constitution were independent of each other; and when a communication took place between the two Houses of Parliament, it was between parties who were equal, who were perfectly independent. But, in the present instance, the communication was between two parties, one of whom was appointed to check and control the other, and who must consequently possess a very considerable influence. The course which had been adopted, reminded him of a story he had read in Gil Blas: a man, travelling quietly along a road, suddenly heard a cry of "Charity! for the love of God!" and he saw lying before him, in the pathway, a hat. Looking about him, to discover from whom this cry of "Charity" came, he observed a musket pointed towards him, out of a neighbouring hedge. On making this discovery, he very prudently threw his money into the hat, although no person had held out any direct threat to compel him to the act. So it was in the present case. The Board of Control, no doubt, without any idea of influencing the East India Company, suggest or recommend a certain grant to be made; and the proprietors, being charitably and kindly disposed (though not so unanimously as might have been expected on a charitable occasion, there being 280 against the vote, and 455 for it), in compliance with this suggestion or recommendation, agree to part with a very large sum.

Mr. *Bathurst* observed, that the concluding illustration of the right hon. gentleman was singularly unhappy. In the case he had mentioned, the fear of personal danger operated on the traveller; but, from the unloaded state of the arms made use of by the Board of Control, no apprehension whatever could be entertained by the Court of Proprietors. The right hon. gentleman had asked, why some step had not been taken for the remuneration of lord Melville during his life? The fact was, the Company had granted him a pension, payable as long as their late charter existed; and the present was a continuation of that grant, arising from the embarrassed state in which lord Melville left his affairs. The right hon. gentleman then defended the propriety of the grant, which, he argued, was no more liable to objection than that which was conferred on the present lord Cornwallis, for the services performed by his father; and concluded by expressing his hostility to the motion.

The House then divided; when there appeared:

For the Motion	30
Against it	86
Majority	—56

List of the Minority.

Althorpe, lord
Barham, J. F.
Byng, G.
Bennet, hon. H. G.
Bolland, J.
Broadhurst, H.
Chaloner, R.
Elliot, right hon. W.
Fitzgerald, M.
Grattan, rt. hon. H.
Hornby, E.
Hammersley, H.
Howorth, H.
Jervoise, G. P.
Lyttelton, hn. W. H.
Leader, W.
Martin, H.
Martin, J.
Moore, P.
Newport, Sir J.
Piggott, sir A.
Ponsonby, rt. hon. G.
Romilly, sir S.
Russell, lord Wm.
Sebright, sir J.
Scudamore, R. P.
Stanley, lord
Tierney, right hn. G.
Walpole, hon. G.
Western C. C.

TELLERS.

Lord Milton.
Lord A. Hamilton.

HOUSE OF COMMONS.

Thursday, May 25.

WESTMINSTER PETITION RESPECTING PEACE.] Sir *Francis Burdett* said, he held in his hand a Petition from the inhabitants of the city of Westminster, which had been agreed upon the other day at a very numerous meeting held for the purpose. The Petition, though concise, stated some very considerable grievances felt by the country; but it was not his intention to occupy the time of the House, and he should therefore move that it be brought up and read at the table.

The *Speaker*. What is the prayer of the Petition?

Sir *F. Burdett*. That peace may be preserved is the main prayer of it, but it also prays for a reform in the Commons House of Parliament.

The Petition was then brought up, and read as follows:

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

The Petition of the Inhabitant Householders of the City and Liberties of Westminster;

"Showeth—That, should England wage a new war against France, on the grounds recommended by his Majesty's Ministers, of interfering in the French choice of a Sovereign, such war, on the part of England, would be flagrantly unjust.

"That a determined rejection of peace, by the insult of refusing to negociate with the Sovereign on the throne of France, will not lessen the injustice of such war.

"That cruelly oppressed as the English people already are, by taxes, to the utmost extent of human endurance—taxes which are daily adding to the immense number of our paupers—to plunge our country, under such circumstances, into a new war, both unjust and unnecessary, would have less the appearance of an ordinary deficiency in wisdom than it would resemble desperation or insanity.

"That, as respects the welfare of our country, your petitioners could not account for a policy so much resembling madness, did they not recollect that the domestic enemies, who have deprived the nation of its rightful representation in the Legislature, have a perpetual interest in stirring up foreign war, whereby they may farther deprive the people of their property, and in time wholly subvert the constitution.

"That evil counsellors, alert in the adoption of unjust means to an unjust end, have already, by corrupt influence, obtained an unqualified re-enactment of the Property-tax, which raising articles of consumption in price, and diminishing the means of payment, is a cause of cruel privations.

"That such evil counsellors and their abettors, not only act on the iniquitous principle of taxation without representation, but they in preference adopt, as an instrument of terror in upholding their unconstitutional power, that detested inquisitorial system, in reprobation of which, the universal indignation of our much-injured country was to your honourable House so lately made known.

"That if any minister or ministers of the Crown have advised, or shall advise, an unjust and needless war against France; or if any such minister or ministers, by unjustifiable measures, or by insulting the French Government, have caused or shall cause the overwhelming calamity of such a war to become inevitable, such minister or ministers ought to be impeached.

"Wherefore your petitioners pray, that your hon. House will not only take into its most serious consideration the foregoing arguments, but that it will likewise afford the nation a perfect shield, and the only possible shield against any such wrongs in future, by resorting to a radical reform, which shall completely identify taxation with representation, and restore to us parliaments of a duration not exceeding one year, it being most manifest that deprived of these rights, the people have no liberty, no security for their property, no protection against being needlessly involved in foreign wars, or exposed to domestic persecution and oppression."

Sir *F. Burdett* next moved, "That this Petition do lie on the table."

Lord *Castlereagh* moved, that the first paragraph of the Petition be read again.

The paragraph having been read accordingly:

Lord *Castlereagh* said there was no person in that House who felt more deeply than he did the importance of that undoubted privilege which the people of these realms possessed, of petitioning the Legislature against any grievances which they sustained; nor was there any one who would more anxiously guard the rightful and legitimate exercise of that privilege; but when it was employed for the sole purpose of offering an insult to the House, he thought they would be guilty of a dereliction of their duty, if they abstained from marking their sense of such a proceeding, by refusing that the Petition should lie on the table. He considered, indeed, that this Petition was studiously framed to secure its own rejection; and as he apprehended the House would not feel inclined to receive a petition which reflected so grossly on themselves, hoping that the principle upon which he acted would not be misunderstood, he should oppose the honourable baronet's motion.

Lord *Milton* said, he had never heard any person get up in that House to oppose the reception of a petition, who did not begin by stating that he was most anxious to preserve the right of petitioning free from violation. Such had been the conduct of the noble lord; but he should be glad if the noble lord would inform the House what particular part of the paragraph it was which would justify them, in his opinion, in refusing the present Petition. For himself, he did not observe any insulting words as applicable to the House of Commons collectively; and they certainly would not be justified in rejecting it merely because it happened to contain expressions offensive to persons in other capacities than as members of that House.

Lord *Castlereagh* considered the terms of the Petition as utterly incompatible with a proper respect to the House; and as illustrative of this opinion, he begged to refer the noble lord to these passages: —"That evil counsellors, alert in the adoption of unjust means to an unjust end, have already, by a corrupt influence, obtained an unqualified re-enactment of the Property-tax.—That such evil counsellors, and their abettors, not only act on the iniquitous principle of taxation without representation, but they in preference adopt, as an instrument of terror in upholding their unconstitutional power, that detested inquisitorial system, in reprobation of which the indignation of our much-injured country was to your honourable House so lately made known." If these allegations were true, continued the noble lord, and such as the House was willing to receive, it would follow that the particular tax in question, and indeed all taxes were imposed by an incompetent authority. He apprehended the House, and the noble lord, would pause before they consented to receive a Petition so constructed.

Lord *Milton* said, that the part of the Petition which the noble lord had read was not the same as he had before desired to be read by the clerk, and it was to the latter that his observations applied.

Sir *F. Burdett* observed, that he wished the noble lord could have proved that the people of England were fairly represented, that the majorities in that House were not corruptly obtained, and that the opinion entertained out of doors was not a correct one. The opinion of the people, from the manner in which petitions were received in that House, was, that they might as well be thrown under the table, as laid upon it. He was not sorry, however, that the noble lord had made his remarks upon the petition; he was not sorry that he had drawn the attention of the House to it; nor should he be sorry to appeal from the judgment of that House to the opinion of the nation at large, as to the truth of its averments. It would be his duty at some future time to bring the question of parliamentary reform under the notice of the House; but he would not do it until the period arrived when he should be supported out of doors in the undertaking, in such a way as would induce the House to hear of its corruptions; to hear how seats were obtained in it, and to be told, that they were in fact any thing but the representatives of the people of England. In the year 1793 they did not refuse to receive a petition which completely dissected the House; which told who and what noble lords had the presentation of seats in it; to that petition was annexed a list, which proved that 17 individuals returned 74 members, and that one way or another, about 150 returned absolutely a majority of what was improperly called the House of Commons. With regard to petitions, however, he did not know of any right which the House could justly exercise as to receiving or rejecting them. Petitioners to that House were not bound to approach them cap in hand, on bended knees and with a beggar's prayer; their petitions were in the nature of a demand. He had no doubt, from the experience which he had had of the influence possessed over the House by any one who happened to sit on the bench where the noble lord sat, that if the noble lord requested them to refuse the Petition they would do so; but he really saw no reason for it either in the prayer or the language of the Petition. At the same time, he did not apprehend it was of any importance to the people of Westminster, or any other people, whether the Petition was received or not, from the way in which they were usually thrown aside.

Mr. *Vezey Fitzgerald* said, he presumed the hon. baronet had presented the Petition merely for the sake of delivering such a speech as they had just heard; for he had professed an utter indifference whether the House received it or not. The hon. baronet professed to see nothing in the language of the Petition which was at all disrespectful to the House; he (Mr. Fitzgerald) was not surprised to hear him say so, because it was perfectly consistent with the new constitutional principles which he had avowed, that the petitions of the people were to be considered as demands, and not as requests made to the Legislature. With regard to the Petition of 1793 he did not pretend to know what might be the opinion of Parliament respecting it at the time; but the very statement of the hon. baronet, that it was received, proved that no petition would be rejected, whatever might be its sentiments as to the necessity of reform, provided it was couched in such language as was due to the character and dignity of the House. He thought the two passages which had been read from the Petition by his noble friend, were of a character which would amply justify the House in refusing to receive it, unless they were prepared to admit that they had been induced, by the corrupt influence of corrupt ministers, to re-enact the Property-tax.

Lord *Milton* explained.—He had referred only to that part of the Petition which had been first read; and could not say whether it might not contain other parts which even he might think objectionable.

The question being put, that the said Petition do lie upon the table, it passed in the negative.

Address on the Prince Regent's Message relative to France.] The order of the day for taking into consideration the Prince Regent's Message of Monday last, having been read, the Speaker read the said Message accordingly. After which,

Lord *Castlereagh* said, that in rising to call the attention of the House to the gracious Message of his Royal Highness the Prince Regent, and to submit to their consideration the propositions growing out of that Message, which to him appeared indispensable to the interests of the country and to the security of Europe, he was persuaded that it was not necessary for him to assure any one who heard him of the deep and awful sense which he entertained of the duty that thus devolved upon him. If he should not enter into any extended argument on certain parts of this subject, in order to persuade the House of the expediency of the measures which ministers had thought it their duty to advise the Crown to adopt, the House would feel that it was because he was aware that the question before them was not altogether new—because he was aware that, during the long struggle in which this country had recently been engaged, during the succession of dangers which it had happily escaped, Parliament had obtained the means of ample information and of forming the most correct judgment on the points in question. He, however, trusted that if, in the course of the discussion, any thing should be advanced which might render explanation necessary, the House would allow him the indulgence usual at the close of a debate in that respect. He repeated, that however important the decision certainly was to which he should call upon the House to come, yet that, stripped of all extraneous circumstances, stripped of all the considerations which ought to form no part of their deliberations on that night, it was one on which they might pronounce, without hesitation, a judgment founded on the experience of many years.

The first topic on which he should touch, and which he wished to separate from the discussion of that night, was connected with the observation made by an hon. gentleman on a recent occasion, namely, that of the great Powers confederated in this momentous contest, Austria, not having yet come to a conclusive form of engagement, could not technically be deemed one. The objection, at the time that it was made, was not fairly founded; but he was happy to be enabled to remove it altogether, and to inform the House, that he had that morning exchanged with the ambassador of the emperor of Austria the ratification of the Treaty of the 25th of March. That instrument, therefore, was complete, and had received the final concurrence of all the parties who were concerned in it.

Perhaps the House would permit him to read the note communicated to him on the part of the Austrian Government, in which the explanation of the British Government of the 8th Article of the Treaty was accepted by his Imperial Majesty. This document was signed by Prince Metternich, the Austrian minister for foreign affairs. It was as follows:—"The undersigned minister of his Imperial Majesty the Emperor of Austria, having informed his august master of the communication made to him by lord Castlereagh respecting the 8th Article of the Treaty of the 25th of March, has received his Majesty's orders to state, that the interpretation put upon that Article by the British Government is entirely conformable to the principle by which his Imperial Majesty proposes to regulate his policy during the present war. The Emperor, although irrevocably determined to direct all his efforts against Napoleon Buonaparté, in pursuance of the Treaty of concert concluded with his Allies, is nevertheless convinced that it is a duty which he owes to his subjects, as well as to the principle of the confederacy itself, not to prosecute the war for the purpose of imposing any particular government on the people of France. Whatever may be his wishes to see his Christian Majesty re-established on the throne, and solicitous as he may be to contribute with his Allies to the attainment of that desirable object, his Imperial Majesty thinks it right, therefore, to announce by this declaration, that he perfectly concurs in the explanation transmitted by the British Government on the exchange of the ratification of the Treaty, which explanation the undersigned is, on his Majesty's part, fully authorized to accept." [Hear, hear!] So much for the objection founded on the supposed hesitation of the Austrian Government.

There was another point to which he wished in this place to advert. The hon. gentleman, on the occasion to which he had alluded, seemed to suppose, that it lay on the House to pronounce a deliberate judgment upon the various topics connected with, and on the various stipulations contained in the treaties themselves; and that it would not be consistent with the course of parliamentary usage, to consider any part of the question until the House were placed in such a situation as to be enabled to form a conclusive opinion on every part of it. With respect to the time at which Messages from the Crown ought to be taken into consideration, he apprehended the practice of the House to have been invariably this—that in cases even of the gravest and most complicated nature, those messages were considered at the earliest possible period—on the very next day if they did not require to be referred to a Committee of Supply, in order to express to the Crown the opinion of Parliament upon them. The hon. gentleman might be referred to a hundred instances of this kind from the reign of Queen Anne to the present period, in which Parliament, without entering into particular discussions, had carried to the throne a general declaration of support. With respect to the case of Holland in 1794, which had been referred to by a right hon. gentleman, the Message had been brought down on Monday, and referred to the Committee of Supply on Wednesday, in which the required subsidies had been voted. In doing this, the House were not considered to be pronouncing an absolute judgment on the Treaty which had at that period been concluded; but merely giving an assurance to the Crown on the general points of its policy. During the whole of the last war the Messages from the Crown were taken into consideration on the day after their delivery, and the opinion of the House expressed on the general proposition. Nothing could be more untrue (in the parliamentary sense of the word), than that in replying to a Message from the Crown, communicating a Treaty, the House was expected to take all the parts of the Treaty into consideration, and to pronounce a definitive judgment on its details. Nothing, indeed, was so common as the presentation to the House of a Treaty, on which no parliamentary proceeding followed. The Treaty by which the peace of Amiens was concluded, afforded an instance of that nature. Nothing would be more unwise than that Parliament should give a complete opinion on any measure of national importance, without being in possession of the extent of the measures intended to be pursued by Government; but this consideration by no means precluded them from assuring the Crown of their support with reference to the general policy of of that measure, although all the arrangements connected with it had not been considered.

The noble lord said, he stated this the

more emphatically, because he wished it to be distinctly understood, that the vote which he should have the honour to propose that night, would by no means involve any decision on the merits of the Treaty of the 25th of March. It was a distinct and different consideration into which the House had to enter. It was perfectly possible that arrangements might exist in the Treaty, open to animadversion. It had two distinct objects in view. the one to proclaim war against Napoleon Buonaparté. The other to maintain the Treaty of Paris—which already had received the sanction of Parliament—and the Treaty of Vienna, founded on the basis of the former. It was this latter point which he wished the House to leave wholly untouched. It was in no way at issue. He hoped they would put it entirely out of their view; for the arrangements of that Treaty not being before them, it was impossible that an opinion upon it could form a part of their vote. In saying this, however, he trusted that he should not be misapprehended. He trusted that he should not be supposed to shrink from the justification of a measure, which in his conscience he believed, after the extraordinary circumstances which had happened, after the general dislocation of Europe which had taken place, was one of the most important events that had ever occurred in the history of the world. When the proper time arrived, he hoped he should be able to convince Parliament that the stipulations of that Treaty were justly entitled to their approbation. In the year 1805 Mr. Pitt addressed a dispatch to the Russian Court, in which, contemplating the probable success of the confederacy then established, he stated what, in his opinion, ought to be some of the arrangements to be then made by the Powers of Europe, in order to prevent the recurrence of the evils which they had endured. The noble lord said, he was prepared to contend, that the arrangements recently determined upon at Vienna were still more advantageous, and still more calculated to secure the tranquillity of Europe than those contemplated on that occasion by Mr. Pitt. Mr. Pitt had not anticipated that Holland could be rendered so secure as she had been by the events of the late war. All that Mr. Pitt had contemplated for the security of Holland, was, the importance of bringing Prussia in advance to the Rhine. He had also recommended the union of Genoa with Piedmont, and other arrangements critically conformed to in the arrangements which had actually taken place. The noble lord said, he had indeed felt it his duty to ascertain how far it was possible that these proposed arrangements might be carried into effect at the earliest period at which the character of the war justified that proceeding. Soon after the Russian armies had passed the Vistula, he transmitted officially to the Court of Petersburgh, through the medium of our ambassador, a copy of Mr. Pitt's dispatch of 1805, desiring to know if subsequent circumstances, or subsequent consideration, had induced Russia to form different views on the subject, in the event of the success of the campaign. In testimony of the solid principles on which the Court of Petersburgh acted, he had to state, that notwithstanding the lapse of time and the change of circumstances, his Imperial Majesty the Emperor of Russia declared in his reply, that he in no way departed from the system laid down by Mr. Pitt in 1805, the maintenance of which appeared to him to be essential to the interests of Europe. However it might be to be lamented that any part of the arrangements which had been concluded should lead to animadversion;—however it might be to be lamented that they could not be considered with reference to one power only, but must combine the interests of all; and, consequently, that they must be formed in the spirit of compromise rather than of dictation on the part of any particular government, it must be no small satisfaction to those who regarded with reverence the memory of Mr. Pitt, to see the system which was the subject of his fondest hopes more than realized—to see that which was the object of his abstract speculation actually established—to see all the great principles which he had considered as indispensable to the security of Europe against the ambitious policy of France embodied and put into practice.

The question before the House that night, however, was of a description much narrower than the consideration of all these circumstances would make it. He did not call for their sanction of the stipulations of the Treaty of Vienna. Whenever that document should be laid on the table, he would ask for their judgment upon it. But it would be idle to stand still—to shut their eyes against what was passing in Europe, because the whole course of proceedings at Congress, and the documents explanatory of those proceedings, were not before them. The only point on which he wished the House that night to pronounce, was, whether or not they would give their support to the Executive Government in the war in which the country was now engaged? It was a mistaken notion that the question was, whether we should go to war or not? but, being at war, whether or not we should enter into negociations for peace, separate from our Allies, and oppose that system to which we had just expressed our concurrence? That we had an adequate cause of war against Buonaparté was unquestionable—and not less undoubted was it, that during his usurpation of the supreme authority we had an adequate cause of war against the French nation. He most readily admitted the abstract proposition of the right of every country to be exempt from the evil of the interference of any other country in its internal concerns. But this was a case to be determined by its particular circumstances. In proportion as the French nation had the right of choosing their own Government, in proportion as it was affirmed (although there was in his opinion no evidence of the fact) that the re-establishment of Buonaparté was the act of the nation at large, and not of the military alone, was the proof that the French nation had committed an infraction of the peace. The war which formerly existed against that nation, would still have existed; no peace could have been made but for the solemn act of the Treaty of Paris—one main condition, indeed the basis of which was, that the Government of France was to be administered by another ruler. We should indeed stand in a ludicrous relation to the person who had resumed the supreme authority in that country, if we were to consider the Treaty of Paris as subsisting between us and him. What was the substance of the Treaty of Paris? That Buonaparté should not remain emperor of France. Should we, then, take him as a guardian and conservator of that Treaty—should the powers of Europe concert with him the best means of executing it, when its very basis was his abdication of the French throne? The question now was, not whether we should declare war with France because Buonaparté was at the head of the French Government, but whether we should open negociations with Buonaparté, he having returned to the head of that Government contrary to the stipulations of the Treaty of Paris, and the war existing before the conclusion of that Treaty being therefore still in continuance; and thus give him the time which he might require for those preparations, which might ultimately enable him to attack Europe at a period better calculated for the accomplishment of his ambitious designs.

The noble lord said, he perfectly agreed with the hon. gentlemen opposite, that nothing but urgent necessity could justify war. He readily recognized the general right of a country to direct its own affairs. But there were cases so extreme, as to render it impossible to separate the good faith and character of a nation from the good faith and character of the person at the head of the affairs of that nation. If the history of the world afforded an instance more striking than any other, of the existence of such a case, it was the present; in which the character of the individual concerned was combined with this additional feature—that he had the French army at his disposal, and that he had promised to restore it to its former fame—in other words, that he would again endeavour to lead it on to conquest, instead of adhering to the pacific and temperate policy of Louis the 18th. It had been contended, that the talents of Buonaparté were calculated in war to give a most dangerous impulse to the energies of the French nation. But let the whole of his career be examined: let his conduct be contemplated in peace, in war, in adversity, and in prosperity; and it would disclose an unrelenting system, an active exertion to disturb the tranquillity of all countries. If we looked at him during the number of years in which he presided over the French nation, we should discover no period at which the aggressions of Buonaparté were more extensive than during the period which he chose to call a period of peace. Comparing the character of his conduct in peace and in war, it would be found that he had achieved more in the former than in the latter. All his acquisitions of the different republics were consolidated in a time of peace. Holland, and the Ligurian republic, were annexed to France in a time of peace. Switzerland was almost entirely annexed to France in a time of peace. The 32d military division was annexed to France in a time of peace. Not only did these aggrandizements of French power take place in time of peace, but the greatest and most malignant effort of Buonaparté to disturb the repose of the world, his attempt to subdue countries almost in themselves submissive to him, his most unjustifiable attack on Spain and Portugal, was framed and executed in a time of peace. Even in his most successful wars, there was something in the moral influence which had been opposed to him, that had been more advantageous to the interests of humanity than the relaxed vigilance of a state of pacification.

But these were not the sole considerations to be dwelt upon in estimating the character of Buonaparté. It was evident, that no alteration of fortune afforded the least hope that he would content himself with any resting-place. No man was more disinclined than himself to use harsh expressions towards those to whom we were opposed in war; but it was impossible not to do so in examining the character of this extraordinary man during all the vicissitudes of his life. Whether in good or bad fortune, he maintained the same unrelenting disposition. Good or bad fortune, indeed, was only a transitory point in his existence, from which he sprung to new efforts. He seemed destined for a state of unceasing activity against the tranquillity and happiness of the world. Let him be taken at the acme of his fortune—after the peace of Tilsit—when he had scarcely an enemy in Europe—when he had allied himself to one of the most ancient and respectable houses on the Continent—when he had only to sit down and enjoy his success—and he would be found as impatient of his situation, as determined to leave no nation in possession of its independence, as when he had all his preceding objects to achieve. To show how incapable his mind was of bending from its original quality—at the moment when his hands were full with the exertions necessary to maintain the ground which he had usurped in Spain—that moment he selected for that gigantic effort which afterwards turned to his destruction, against the only remaining nation on the continent which possessed the means of resisting his power, and which the pacific character of its Sovereign induced him rashly to assail, amidst all the difficulties of his situation. When the madness of his ambition had thus hurried him into this new contest—when the storm burst on his head—when he was swept from Russia—driven from Germany—and beaten in France—when he was hemmed in by insuperable difficulties, how did his character manifest itself? Did he really contemplate a solid plan of general repose—a plan which, while it imparted tranquillity to the world, would extricate him from the labyrinth into which his own principles and policy had betrayed him? By no means. All that he did was to manifest a disposition to sacrifice those principles and that policy, in order that he might gain breathing-time to enable him to renew the struggle.

On a former evening he had called the attention of the House to the documents, which proved the duplicity of Buonaparté on the occasion to which he alluded. Their authenticity, however, having been doubted, he had interchanged some official communications on the subject, which convinced him that they were genuine beyond the reach of controversy. Although the character of the man was before exhibited beyond the possibility of doubt, these documents showed that at a moment the most disastrous, he still laid in diplomatic fraud the foundation of a breach of the engagements into which he affected to be entering, determined again to disturb the peace of the world, if his future situation should enable him to break loose from the conditions to which he pretended to conform. Depressed as was his state, he contemplated how he might again enter Germany, Italy, and the north of Europe. The noble lord said, he should feel it his duty to read to the House the letter of instruction from the duke of Bassano to the duke of Vicenza on this subject. In that letter Buonaparté attempted to justify his intended treachery, by imputing bad faith to the Allies in the capitulations of Dresden, Dantzic, and Gorcum, as they respected the return of the garrisons of those places to France—than which accusation nothing could be more unfounded; and on that pretended ground he asserts his right to violate a solemn and ratified Treaty, if military events should permit him to do so. The instructions were dated on the 19th of March, 1814, and were written at the moment when Buonaparté was most critically situated between the armies of marshal Blucher and prince Schwartzenberg. Marshal Blucher pressing upon him from Rheims, feeling that danger to be near, and not foreseeing the fate which would attend him from a movement in front, he at that moment directed his minister at Chatillon to conclude the

Treaty with the Allies, but to avoid explaining himself on the subject of delivering up the fortresses of Antwerp, Mayence, and Alexandria, to keep that *dans le bas* (to the use the expression of the original), in order that Buonaparté, although he intended to ratify the Treaty by which those fortresses were to be surrendered to the Allies, might avail himself of any subsequent military events of a favourable nature to violate his engagement by retaining them in his own possession. The letter was as follows:

Translation of a Letter from the Duke of Bassano to the Duke of Vicenza. In the cypher of the Emperor with his Ministers.

"*March* 19, 1814.

"Sir,—Your excellency will have received, or will doubtless in the course of to-day receive the dispatch from Rheims, of which M. Frochot was the bearer, and which was accompanied by a letter from the Emperor.

"The Emperor desires that you would avoid explaining yourself clearly upon every thing which may relate to delivering up the fortresses of Antwerp, Mayence, and Alexandria, if you should be obliged to consent to those cessions; his Majesty intending, even though he should have ratified the Treaty, to be guided by the military situation of affairs:—wait till the last moment. The bad faith of the Allies in respect to the capitulations of Dresden, Dantzic, and Gorcum, authorizes us to endeavour not to be duped. Refer, therefore, these questions to a military arrangement, as was done at Presburg, Vienna, and Tilsit. His Majesty desires that you would not lose sight of the disposition which he will feel not to deliver up those three keys of France, if military events, on which he is willing still to rely, should permit him not to do so, even if he should have signed the cession of all these provinces. In a word, his Majesty wishes to be able, after the Treaty, to be guided by existing circumstances, to the last moment. He orders you to burn this letter as soon as you have read it."

The noble lord said he had received this letter from the most authentic official source. That its genuineness should be denied by the enemy, gave him no surprise; for it was the system of that Government to deny every thing which it was not for its interest to avow; and it might be truly said, that falsehood was incorporated into the Government. His lordship proceeded to state, that while he was in France last year he had had occasion to see several instances of the system of falsehood and delusion followed by the then Government of that country. Official letters were regularly inserted in the journals from parts of France which had long been in the possession of the Allies.

But it was not enough to prove the justice of the war, unless we could also presume upon a rational prospect of success. He apprehended that we had such a prospect, and he would submit to the House the grounds of that conviction. A state of hostility with the present Government of France would not only be a wise course with respect to the general security of Europe, but it would be our most economical course; and the difference of expence between a state of armed peace and actual war, was by no means an object to be put in competition with the risk attendant on such a state of insecurity. It had been questioned, whether our prospect of success, in a military point of view, was not impaired since last year; and whether the power of the Allies was not so far diminished as to make it wise for us, however much disposed to adopt a contrary system, to pause before we committed ourselves in actual hostilities? He would allow, if there was any division of sentiment amongst the Continental Powers, or any doubt entertained by them of what was best for their interests, that this ought to be a motive for us to pause, and that we ought rather to wait for the evil day and attempt to resist it when it comes, than to proceed to resist it with a divided coalition. But he would assume that the same feeling existed in the whole of the Confederated Powers which was entertained by the Government of this country; and he thought no man would doubt this when he considered that there had been no attempt on the part of the British Cabinet to goad them into the adoption of any measure which they did not consider for their own interest. As Great Britain was the power which was least menaced, and had most resources for supporting the expenses of a continental war if necessary, it was judged wisest by the Cabinet of this country not to use a tone of incitement, but rather to urge the Allies to adopt the course by which they would best consult their own security—they might be assured that we would not leave them, but they ought to weigh well the whole circumstances of the case, and be clear in their determination to act together—and above all, that they ought not to go into the struggle with an idea that it would be merely the struggle of a day, but that it might be one of great length and accompanied with great difficulties. This was the course which this country had taken; and no man could doubt from the acts of the Confederation, before this country could posssibly have prompted them, that their resolutions were formed on the most solid conviction that the course taken by them was necessary for their own interests. The danger which at first threatened them was no doubt of a lighter character; but as the successes of Buonaparté advanced till the Royal family was finally driven out of France, the danger became more alarming. Their conviction, however, was invariably the same—that their only safety was in war, and that by war alone the safety of the world could be preserved. Those who differed with him in other respects, would not, he hoped, differ with him in this, that there was the greatest appearance of unanimity amongst the Allies—a greater appearance of unanimity than the history of Europe had ever before disclosed.

The noble lord said, he should now proceed to inquire into the relation which the military force of the present Ruler of France and the Confederated Powers bore to each other, and the prospect of success which we might rationally entertain. To say that war was a matter of certainty, and not in the hands of Providence, would be idle and presumptuous at all times, and with whatever means undertaken. But if we had a prospect of success from our former efforts this prospect of success must now be much greater, from the increased strength of the Confederacy, and the diminished means which the Government of France could bring against them. No man could be more disposed than he was to give full weight to the efforts which a great nation might make when fighting on their own soil, for what the people of the country might be led to conceive their national independence against the attack of a natural enemy. It was impossible to disguise that the resources of this nation were in reality very great. We had already had an example of what could be effected by France. The French military were no doubt considered as the most animated in character and the most intelligent in Europe; but we had already met them in the field. Making every allowance for the arts of delusion practised by the Government, there was something so different in the situation of the country now, from the period when it was invaded at the commencement of the revolutionary war, that we should be drawing an inference not likely to be justified by events, if we supposed that the people would generally support the present Government with warmth and enthusiasm. For it was not now as if the King had never returned to them. As long as Buonaparté constituted the actual Government of the country, it was natural that the people should support him from an unwillingness to receive a sovereign from foreign Powers, to be dictated to in their internal affairs. But, when the nation had once taken back their legitimate Sovereign, and when they had experienced that the whole conduct of that Sovereign was lenient and pacific —when the nation had contracted towards that Sovereign the most solemn engagements which could be entered into between a sovereign and his subjects, the situation of things became very much altered; and even with the imposing character of the French army, there were abundance of facts to show, that the people were not only not generally disposed to support the present Government, but were even in many places far from remaining quiescent under it. The revolutionary feeling was now in a great degree extinct. The people of France, with all their faults, possessed a moral sense which would not allow them to betray their legitimate Sovereign, without entertaining such sentiments as would first display themselves in inactivity and afterwards in rallying round that Sovereign. But we ought also to consider that the power of France was very different when acting on her own national resources, and when she had, in addition to these, the external resources which she derived from the spoil of every other country. France could not now bring into the field the same force which she had at the period of her great conquests. It became important, therefore, to consider what resources they had for the creation of an army when stripped of their external resources. If they were to look into the former French Budgets, they would find that these external resources were immense. In considering the present resources of France, they ought to look at the period during last campaign when their resources were extremely narrowed, because there was power enough in the European Confederacy to occupy a considerable part of the territory of France. All those parts, therefore, which might be so occupied, and such parts as were in a disturbed state, must be considered as a diminution of the means of France; and that country would not resemble in effectual resources what it was when entire in its own territory, or when it also possessed the external resources of other countries.

Having taken a comparative view of the resources of France, he would now compare the present means of the Confederacy with what they were at any former period. In looking to the situation of the Confederacy, their moral strength was an important feature in the present question; and as he was confident that the exertions in the interior of France would be chilled by the conviction of the wickedness of the Government, and a desire on the part of the people to see the establishment of a pacific system, he was equally confident that throughout the rest of Europe there prevailed a great moral feeling that the peace of the world depended on the close of the war on a principle which would not establish Buonaparté on the throne of one of the greatest kingdoms of Europe. His firm conviction was, that not only at no period of the war were the Allied Sovereigns more determined to persevere with ardour in the contest; but also that never did their subjects consider this to be more an essential duty, and never were they more prepared to support their Sovereigns by the utmost extent of sacrifices. It appeared that there was nothing unsound in the moral principle on which they acted; and that the matter reduced itself to a struggle of arms in which the power of the Confederation would not be impaired by any unwillingness on the part of their subjects. In measuring the relative power of the different European states, it was necessary to consider, that the tendency of the Treaty of Paris had been to augment considerably in effectual military strength, every continental Power, France alone excepted; for France being at once placed by that Treaty, as it were, out of the reach of subsequent events, having all her interests secured to her, and placed in a state of safety, was determined to derive the greatest possible relief from peace, and had, therefore made the greatest reduction in her army. France was, in fact, the only country in Europe which could be considered to have reduced her army to a peace establishment. Knowing this, and knowing also that France had now no external resources, and was reduced to those derived from her own soil, and that her Government could only make great exertions by a great outlay; with the diminution in her means, he did not conceive that the military establishment of that country could have possibly received any very great increase. It so happened, however, on the other hand, that the military strength of the Allies had not only not been impaired since last war, but that it had been increased in all its ingredients, not only in the power to act offensively, but in one which was perhaps of still more importance—the Allied Sovereigns had not only consolidated their armies on a scale of magnitude which the armies of Europe had never before attained, but they had made such arrangements, if the struggle should be unfortunate in its result, and should not lead to that amelioration of the government of France which was so much to be wished, as would best place Europe out of the reach of the recoil of any efforts on the part of France, that might prove dangerous to their own security. In the whole of the countries on the Rhine, and indeed throughout nearly all Germany, the landsturm were called out—a measure which might be said to have armed the whole population, and which did not exist at the late period when hostilities were carried on. That the armies of the Confederated Powers were on the highest scale, was a fact known to every man who had been on the continent; and he owned that it had almost made him tremble, when at the Congress, where local interests were discussed with that warmth which might so naturally have been expected, he considered that the discussions took place in the midst of what might well be called a great armed camp; for in Germany alone there were not less than one million of armed soldiers, independent of the local force of the different states. And, therefore, if war was inevitable, there never was a moment when it could come with less hazard to the fate of the world. He believed that the delay of a single month would have made such a difference in their establishments as to leave it questionable whether they would be able to enter into the contest without first re-erecting, what France had to do, their armies from a small peace establishment. There was nothing, therefore, which should lead us to entertain desponding sentiments, or to suppose that the Powers of Europe had not the means of making greater efforts than had ever yet been made by them. And even with the assistance which this country might find it advisable to give, if they should not be able to put in motion the whole of their military forces, these forces were a security to this country, that the armies of France would always be met by a force commensurate to the occasion—that that force could always be kept up to an adequate extent—and that it would protect them, in connexion with the armed population, from any risk in case of failure.

The war was therefore as clearly justifiable on the grounds of military expediency, as on those of necessity—and it was also clear, that if the Allies were not able to come now to the contest with a prospect of success, there was no possible prospect of their ever being more so; for Europe never could be in such a situation of strength as it was in at present. The question, then, was, whether they would wait for the evil day till those means were diminished, or go into the struggle in their present high state of preparation? The means might not only be relatively diminished by an increase of those of Buonaparté, but some accidental variance might at some time or other arise among the Confederated Powers which might have the effect of dividing them for a time. Those who took the extraordinary view, that though it might be necessary to go to war with France, they were not prepared to consent to a grant of subsidies to the other Powers, might still vote for the Address with which he should conclude; for in point of consistency, a man might disapprove of the grant of a subsidy, and disapprove of the Treaty of Vienna, and yet support the Address with his vote. But the House would be shrinking from its duty, if it did not assist the Confederacy with all those resources which it was able to afford. The proposed subsidies were calculated on a principle which put to the test, whether the war was a war of the Continental Powers or one of our own. The greatest part of the burthen fell on themselves, and the part which fell on us, though a cause of animation to them in their efforts, would not afford to them a motive for continuing their efforts, one moment beyond the necessity of the case. It was the greatest proof of their firm conviction of the necessity of the contest, that, pressed as they were in their resources, they had nevertheless subjected themselves to the necessity of making such heavy exertions. But he did not wish to enter at present into the subject of the subsidies—that more properly belonged to the discussion of to-morrow.

He had thus endeavoured to open to the House the general grounds of the question as concisely as he could, trusting that he should be allowed hereafter an opportunity for explanation, if necessary; and trusting also to the mind of the House, after dwelling for nearly twenty-five years on this subject, and with such experience and extensive knowledge as they possessed of the question in all its bearings. Although it was painful to him to be the organ of moving an address of this nature, after those glorious exertions which this country had so long made, and the privations which she had consequently endured, and which so well entitled her population to the enjoyment of the blessings of peace; he had still the consolation of reflecting, that those additional efforts which he was compelled to recommend, constituted the only mode of conduct which it was under the present circumstances safe or prudent to adopt. We had contended for our own safety against the same Power, unaided by a single ally, and after seeing, as it were, the last spark of life expire in the two great Powers from which we principally looked for co-operation, in opposition to the enemy of Europe. When we advanced to the assistance of Spain and Portugal, over-run by that Power, we felt bold in the morality of the cause—we felt bold in the wisdom of the measure, from the effect which it might ultimately have on other nations labouring under similar injustice and oppression. We struggled under many disadvantages; and, whatever fortune might occasionally attend our efforts, we had at last the satisfaction of seeing those two nations delivered, and the system of Europe revive, in proportion to the efforts made by us for Spain and Portugal, and a combination of Europe against France, finally cemented by the efforts of this country. We now started with the whole of Europe combined against that desolating Power, and even with an assistance in the interior of France itself. Whatever, therefore, might be the sacrifices and privations which we should still be called on to make, we had no reason to look to the issue of the struggle with sentiments of despondency. Whatever might be the difficulties of the awful crisis, we had every thing to cheer and animate us in our past efforts. We had had the satisfaction of conducting the affairs of the world to a point which might comparatively be called tranquillity and peace. We had only to carry our efforts a little farther. In their past efforts the Confederation had preserved the character of dignity and moderation which they professed; and from their manner of conducting themselves when in possession of the capital of the French nation, they had shown that they were not actuated by any of those retaliatory principles which would have almost been excusable in their situation; but that they entertained a sincere wish to temper their successes by a conciliatory treatment of the French nation. The subsequent deliberations at Vienna would afterwards come before the House, and it would be then for them to form a judgment on the matter. He wished to ask the House, whether we should be acting wisely in separating ourselves from the common efforts of Europe, and whether we were prepared to advise a peace separately instead of a war in conjunction with our Allies? The noble lord concluded with moving,

"That an humble Address be presented to his royal highness the Prince Regent, to return his Royal Highness the thanks of this House for his most gracious Message, by which his Royal Highness has been pleased to inform us, that, in consequence of the events which have occurred in France, in direct contravention of the Treaties concluded at Paris in the course of last year, his Royal Highness had judged it necessary to enter into engagements with his Majesty's Allies, for the purpose of forming such a concert as present circumstances indispensably require, and as may prevent the revival of a system which experience has proved to be incompatible with the peace and independence of the other nations of Europe:

"To make our acknowledgments to his Royal Highness, for having directed copies of the Treaties which have been concluded to be laid before us; and to assure his Royal Highness, that he may confidently rely on the cordial support of this House in all measures which it may be necessary for his Royal Highness to adopt, in conjunction with his Majesty's Allies, against the common enemy at this important crisis."

Lord *George Cavendish* said, he could not help thinking, from the speech of the noble lord, that his Majesty's Government had now changed their object, and that their sole intention was to overturn the present Ruler of France, for the sake of replacing the Bourbons on the throne. They had only to look at the Treaty of the 25th of March, which established a mutuality of interests between the contracting parties, to be convinced that their intention was the restoration of that family. No man felt more for fallen greatness than he did; but every person must see, whether from the incapacity of the Bourbons, or from an indisposition on the part of the people of France to receive them as Sovereigns, there was not the smallest chance of their restoration to power. He was confident if the House looked to the spirit of the people of that country—their jealousy of all external interference—they would be convinced that there was no chance of a settled government there, but what arose from the external and visible circumstances of the country. Our experience of the past ought to be a lesson to us for the future. After a struggle, in which the best blood of the country had been shed—in which our finances had been so much impaired—and more especially when the new contest was not only of the most arduous description, but one which, if we failed, would entail disgrace on the country, we ought not to plunge ourselves in war without the most urgent necessity—such a necessity as had not yet been made out satisfactorily to the House. The noble lord concluded with moving the following Amendment to the Address:

"That an humble Address be presented to his royal highness the Prince Regent, to thank him for his gracious Message:

"To express to his Royal Highness our firm determination to support all such measures as may be necessary to enable his Royal Highness to maintain the honour of his Majesty's Crown, and to establish an intimate concert with the Powers of Europe, for the protection of their respective rights against all foreign aggression:

"To assure his Royal Highness that it is at all times our anxious desire to give our assistance in fulfilling such Treaties as his Royal Highness may have been induced to enter into with these views; but that we should not be justified in expressing any approbation of the engagements which his Royal Highness appears to have contracted, for maintaining entire the stipulations determined upon and signed at the Congress of Vienna, of which, both as to their principle and extent, we are as yet wholly uninformed:

"To state to his Royal Highness, that cordially approving, as we do, of a defensive system, for preserving the equilibrium of Europe, and securing the repose and independence of its states, we at the same time feel ourselves bound to represent to his Royal Highness that we do not think a war undertaken on the principle of personally proscribing the present Ruler of France, necessary for the accomplishment of those desirable ends.

"That, on the contrary, such a war appears to us questionable in its principle, and fraught with the greatest dangers; leaving us no alternative, with a view to the re-establishment of peace, but complete success in destroying the Government so proscribed, or humiliation and disgrace, in submitting to acknowledge it after such proscription.

"That we learn with satisfaction that hostilities have not yet been commenced, and that we entreat his Royal Highness to open new communications with the Allied Powers, whereby the engagements now subsisting between them, may be established on a defensive principle, more conducing, as it appears to us, to the interests of this country, and to the general security of Europe, than that which has been adopted in the Declaration signed at Vienna by the Allies on the 13th of March last, and in the consequent Treaty concluded on the 25th of the same month."

Mr. *John Smith* seconded the amendment. He said he was averse from war, as a friend to humanity in the first place; and that to this objection were superadded the very destructive consequences which it would be in all likelihood the means of bringing on this country. He was aware that it was urged on the side of the promoters of the present treaties, that Buonaparté was merely upheld by the army; that the army was a banditti, a set of robbers and plunderers; and therefore there could be no security for peace: but this argument operated against those who urged it; for if Buonaparte's army were such plunderers as were thus described, if they had this insatiable desire for war, peace was the only, or at least the surest method by which it was to be allayed. Those bad principles of the French army would be nurtured and matured by war; they would every day grow stronger, and it was by peace only that they could be counteracted, and by degrees worn away. In fact, peace was the most certain mode of allaying that destructive spirit of which so much dread was entertained. It being, then, so apparent to him, that peace was the most desirable object this country had to look to, it behoved us to consider how the case stood. Buonaparté had unequivocally declared his ardent wish for peace. In respect to the army of France, it was his opinion, that the efforts of the Legislature, aided by the countenance of the great landed proprietors, would be sufficient to repress, and, in a few years, subdue the present effervescent spirit of the soldiery; and in addition to their endeavours, Buonaparté, he was convinced, was more able than any man to repress and restrain those men who looked up to him with so much enthusiasm, in consequence of those brilliant achievements to which he had so frequently led them. But, there was one argument in favour of peace, which ought to weigh in an extraordinary manner on all his Majesty's ministers; and that was, that give this country but threeyears of peace, and we should be able to contend against the whole world. The noble lord seemed to think that the power of Buonaparté might, at the present moment, be easily subdued; but he was not a man of a common stamp. Let the House recollect what he had been able to effect immediately after his return from Russia. Though he arrived in France after that disastrous campaign with but a small number of his veteran army, he had exerted his talents and activity with such extraordinary effect, that in the month of March, 1813, he was enabled to lead a new army across the Rhine, which for three months had actually kept the Allies not only at bay, but had brought the contest to a very doubtful point, had not Austria thrown her weight into the scale of the Allied Sovereigns of Russia and Prussia. After that event he had indeed had his hands full. He was harassed on all sides; till at length he made a false move, and lost the game. If with such small means, and in so short a time he then did so much, what might he not be expected to do now, when he had such astonishing advantages in his favour? It was generally believed that at the present moment he was at the head of an army of at least 300,000 men. Nor was it much to be wondered at, when it was recollected what immense numbers of his best veteran soldiers had been shut up in the various strong fortresses in Europe of which he was in possession. Added to these, we were to look to the extraordinary number of prisoners in Russia and this country, amounting to nearly 200,000; and from recent accounts which had pretty generally gone abroad, all those men were enthusiastic in his favour, and notwithstanding the length of their imprisonment, those who were in this country, amounting to nearly 100,000, openly testified their strong attachment to him on every occasion that offered, and betrayed a resentment against this country that was truly extraordinary. This could not be from ill usage; for they had always been treated with every degree of kindness and liberality which their situation would allow, and therefore could only arise from a rooted attachment to him, and a resentment against any power that should attempt to set him aside. The noble lord had assumed, and indeed asserted, that a great part of the French people would join the Allies. To this, however, he could not give credence. The whole population seemed to have been so overjoyed at his return, and he had made his way to Paris with such rapidity and with so little interruption, that he thought it was in vain to hope for such results as the noble lord appeared to anticipate. The illustrious Commander who was at the head of our army on the northern frontier of France, would doubtless do every thing which his superior talents, and the known bravery of the army under him, could possibly effect; but he could not be supposed to have power enough to withstand the whole population of France: and, therefore, he thought the noble lord was infinitely too sanguine, and by no means warranted in supposing that our efforts were likely to be attended with that success which he seemed to build upon with so much confidence. It gave him great satisfaction to hear we were only to advance 5,000,000*l.*; but at the same time it would give him still greater pleasure, if the noble lord would condescend to tell the House on what ground he rested his confidence in the fidelity of the Allies. They had all games to play, and stakes at issue, which, in case of any reverse of fortune on their side, might render their attachment to the common cause rather dubious. Prussia would, in such case, be looking with a careful eye towards Saxony; Austria towards Italy; and Russia would be anxious to secure the footing she had got in Poland. The noble lord, not much more than a twelvemonth ago, had left this country to assume the high character allotted to him, in which he had so honourably performed his part, that on his return he had been warmly greeted by the applauses of that House and of the country; and it must be truly mortifying to the feelings of the noble lord to see that all his efforts had been rendered futile and of no avail. Another argument which weighed strongly on his mind against plunging into a war at the present moment was, the state of our finances, which was certainly not the most flourishing or desirable. His Majesty's ministers had among them gentlemen possessing the first talents as far as regards that important and intricate subject. The right hon. gentleman at the head of that department had lately been joined by another right hon. gentleman (Mr. Huskisson), whose financial abilities were generally looked up to with considerable confidence. That right hon. gentleman had, not long since, declared, that in his opinion taxation had arrived at its utmost limits, and unless we adopted some plan of economy it was impossible we could go on much longer—he believed the right hon. gentleman had then fixed the period at two or three years. Now it seemed to him problematical whether this war, if entered upon, would be terminated in one year; and if it was not, but should unfortunately continue more than two or three years, either the right hon. gentleman's calculation must be incorrect, or the country must be by that time in a most lamentable situation, for want of that necessary food for carrying on a war, vulgarly called money. Looking at our present situation with regard to our finances, he was free to confess he knew not from what source new taxes were to be drawn. He would consider the putting down Buonaparté, if he could be put down, as a most fortunate circumstance for all Europe; but if, after some years struggle with him, he should chance to worst the Allies, it was by no means a pleasing subject to contemplate what our peace establishment must then be. He, therefore, most cordially seconded the amendment of his noble friend.

Mr. *Grattan* rose and said:—I sincerely sympathize with the hon. gentleman who spoke last, in his anxiety on this important question; and my solicitude is increased by a knowledge that I differ in opinion from my oldest political friends. I have further to contend against the additional weight given to the arguments of the noble lord who moved the amendment, by the purity of his mind, the soundness of his judgment, and the elevation of his rank. I agree with my hon. friends, in thinking that we ought not to impose a government upon France. I agree with them in deprecating the evil of war; but I deprecate still more the double evil of a peace without securities, and a war without allies. Sir, I wish it was a question between peace and war; but unfortunately for the country, very painfully to us, and most injuriously to all ranks of men, peace is not in our option, and the real question is, whether we shall go to war when our Allies are assembled, or fight the battle, when those Allies shall be dissipated?

Sir, the French Government is war; it is a stratocracy, elective, aggressive, and predatory; her armies live to fight, and fight to live; their constitution is essentially war, and the object of that war the conquest of Europe. What such a person as Buonaparté at the head of such a constitution will do, you may judge by what he has done: first, he took possession of the greater part of Europe—he made his son King of Rome—he made his son-in-law Viceroy of Italy—he made his brother King of Holland—he made his brother-in-law King of Naples—he imprisoned the King of Spain—he banished the King of Portugal, and formed his plan for taking possession of the Crown of England. England had checked his designs, her trident had stirred up his empire from its foundation; he complained of her tyranny at sea; but it was her power at sea which arrested his tyranny at land: the navy of England saved Europe. Knowing this, he knew the conquest of England became necessary for the accomplishment of the conquest of Europe, and the destruction of her marine necessary for the conquest of England. Accordingly, besides raising an army of 60,000 men for the invasion of England, he applied himself to the destruction of her commerce, the foundation of her naval power. In pursuit of this object, and on his plan of a western empire, he conceived, and in part executed the design of consigning to plunder and destruction, the vast regions of Russia; he quits the genial clime of the temperate zone—he bursts through the narrow limits of an immense empire—he abandons comfort and security, and he hurries to the pole, to hazard them all, and with them the companions of his victories, and the fame and fruits of his crimes and his talents, on a speculation of leaving in Europe, throughout the whole of its extent, no one free or independent nation: to oppose this huge conception of mischief and despotism, the great Potentate of the North is obliged to advance to defend, against the voracity of ambition, the sterility of his dominions; he joins the King of Prussia, whom Buonaparté had deprived of the greater part of his territories; he joins the Emperor of Austria, whom Buonaparté had deprived of the principal part of his dominions; these three powers, physical causes, the influence of your victories in Spain and Portugal, and the precipitation of his own ambition, combine to accomplish his destruction. Buonaparté is conquered, and the three Kings march to the gates of Paris—there they stand—the late victims of his ambition, and now the disposers of his destiny, and the masters of his capital. He had gone to their countries (without provocation) with fire and sword—they come to his (with the greatest provocation) to give life and liberty; they do an act unparalleled in the annals of history, such as nor envy, nor time, nor malice, nor prejudice, nor ingratitude can efface—they give to his subjects liberty, and to himself life and royalty. Posterity will admire and crown their monuments with glory everlasting.

Therefore, when he that states the conditions of the Treaty of Fontainbleau are not performed, he forgets one of them, namely, the condition by which he lives; it is very true there was a mixture of policy and prudence in this measure; but it was a great act of magnanimity notwithstanding, and it is not in Providence to turn such an act to your disadvantage. With respect to the other act, the mercy shown to his people, I have under-rated it; the Allies did not give liberty to France, they enabled her to give a constitution to herself, a better constitution than that which, with much laboriousness and circumspection, and deliberation, and procrastination, the philosopher fabricated when the Jacobins trampled down the flimsy work, murdered the vain philosophers, drove out the crazy reformers, and remained masters of the field in the triumph of superior anarchy and confusion; better than that, I say, which the Jacobin destroyed, better than that which he afterwards formed, with some method in his madness, and more madness in his method; with such a horror of power, that in his plan of a constitution, he left out a government, and with so many wheels, that every thing was in movement, and nothing in concert, so that the machine took fire from its own velocity; in the midst of death and mirth, with images emblematic of the public disorder, goddesses of reason turned fool, and of liberty turned fury: at length the French found their advantages in adopting the sober and unaffected security of King, Lords, and Commons, on the idea of that form of government which your ancestors procured by their firmness, and maintained by their discretion. This constitution Buonaparté has destroyed, together with the Treaty of Fontainbleau; and having broken both, desires your confidence:—Russia confided, and was deceived—Austria confided, and was deceived. Have we forgotten the Treaty of Luneville, and his abominable conduct to the Swiss? Spain and the other nations of Europe confided—and all were deceived. During the whole of this time, he was charging on England the continuation of the war, while he was breaking his own treaties of peace, for the purpose of renewing the war, to end it in what was worse than war itself—his conquest of Europe.

But now he repents, and will be faithful—he says so, but he says the contrary also: "I protest against the validity of "the Treaty of Fontainbleau, it was not "done with the consent of the people; "I protest against every thing done in "my absence; see my speech to the "army and people, see the speech of my "council to me." The Treaty of Paris was done in his absence—by that Treaty, were returned the French colonies and prisoners: thus he takes life and empire from the Treaty of Fontainbleau, with an original design to set it aside; and he takes prisoners and colonies from the Treaty of Paris, which he afterwards sets aside also; and musters an army by a singular fatality, in a great measure composed of troops who owe their enlargement, and of a chief who owes his life to the Powers he fights with the resources of France, who owes to those Powers, her salvation. He gives a reason for this, "nothing is good which was done without the consent of the people," having been deposed by that people and elected by the army in their defiance;—with such sentiments, which go not so much against this or that particular Treaty as against the principles of affiance, the question is, whether with a view to the security of Europe, you will take the faith of Napoleon, or the army of the Allies?

Gentlemen maintain that we are not equal to the contest, that is to say, confederated Europe cannot fight France single-handed; if that be your opinion, you are conquered this moment, you are conquered in spirit: but that is not your opinion, nor was it the opinion of your ancestors; they thought, and I hope transmitted the sentiment as your birth-right, that the armies of these islands could always fight, and fight with success their own numbers: see now the numbers you are to command—by this Treaty you are to have in the field what may be reckoned not less than 600,000 men, besides that stipulated army you have at command, what may be reckoned as much more, I say you and the Allies. The Emperor of Austria alone has an army of 500,000 men, of which 120,000 were sent to Italy to oppose Murat, who is now beaten: Austria is not then occupied by Murat; Prussia is not occupied by the Saxon, nor Russia by the Pole, at least not so occupied that they have not ample and redundant forces for this war: you have a General never surpassed, and Allies in heart and confidence. See now Buonaparté's muster—he has lost his external dominions, and is reduced from a population of 100,000,000, to a population of 25,000,000: besides, he has lost the power of fascination; for though he may be called the subverter of kings, he has not proved to be the redresser of grievances. Switzerland has not forgotten, all Europe remembers the nature of his reformation, and that the best reform he introduced was worse than the worst government he subverted: as little can Spain or Prussia forget what was worse even than his reformations, the march of his armies; it was not an army, it was a military government in march, like the Roman legions in Rome's worst time, Italica or Rapax, responsible to nothing—nor God, nor man. Thus he has administered a cure to his partizans for any enthusiasm that might have been annexed to his name, and is now reduced to his resources at home; it is at home that he must feed his armies and find his strength; and at home he wants artillery, he wants cavalry; he has no money, he has no credit, he has no title; with respect to his actual numbers, they are not ascertained, but it may be collected that they bear no proportion to those of the Allies.

But gentlemen presume that the French nation will rise in his favour as soon as we enter their country: we entered their country before and they did not rise in his favour, on the contrary they deposed him—the article of deposition is given at length. It is said we endeavour to impose a government on France; the French armies elect a conqueror for Europe, and our resistance to this conqueror is called imposing a government on France. If we put down this chief, we relieve France as well as Europe from a foreign yoke; and this deliverance is called the imposition of a government on France; He,—He! imposed a government on France—he imposed a foreign yoke on France—he took from the French their property by contribution—he took their children by conscription—he lost her her empire, and (a thing almost unimaginable) he brought the enemy to the gates of Paris: we, on the contrary, formed a project, as appears from a paper of 1805, which preserved the integrity of the French empire; the Allies in 1814 not only preserved the integrity of the empire as it stood in 92, but gave her her liberty, and they now afford her the only chance of redemption.—Against these Allies, will France now combine, and having received from them her empire as it stood before the war, with additions in consequence of their deposition of Buonaparté, and having gotten back her capital, her colonies, and her prisoners, will she break the Treaty to which she owes them, rise up against the Allies who gave them, break her oath of allegiance, destroy the constitution she has formed, depose the king she has chosen, rise up against her own deliverance, in support of contribution and conscription, to perpetuate her political damnation under the yoke of a stranger?

Gentlemen say, France has elected him—they have no grounds for so saying; he had been repulsed at Antibes, and he lost 30 men; he landed near Cannes the 1st of March with 1100; with this force he proceeded to Grasse, Digne, Gap, and on the 7th he entered Grenoble, he there got from the desertion of regiments above 3,000 men, and a park of artillery; with this additional force he proceeded to Lyons; he left Lyons with about 7,000 strong, and entered Paris on the 20th with all the troops of the line that had been sent to oppose him; the following day he reviewed his troops, and nothing could equal the shouts of the army, except the silence of the people—this was, in the strictest sense of the word, a military election. It was an act where the Army deposed the civil Government—it was the march of a military chief over a conquered people. The nation did not rise to resist Buonaparté or defend Louis, because the nation could not rise upon the army; her mind as well as her constitution was conquered; in fact, there was no nation—every thing was army, and every thing was conquest. Buonaparté, it seems, is to reconcile every thing by the gift of a free constitution—he took possession of Holland, he did not give her a free constitution—he took possession of Spain, he did not give her a free constitution—he took possession of Switzerland, whose independence he had guaranteed, he did not give her a free constitution—he took possession of Italy, he did not give her a free constitution; he took possession of France, he did not give her a free constitution; on the contrary, he destroyed the Directorial constitution, he destroyed the Consular constitution, and he destroyed the late constitution, formed on the plan of England. But now he is, with the assistance of the Jacobin, to give her liberty; that is, the man who can bear no freedom, unites to form a constitution with a body who can bear no government. In the mean time, while he professes liberty, he exercises despotic power; he annihilates the nobles, he banishes the deputies of the people, and he sequesters the property of the emigrants; "now he is to give liberty!" I have seen his constitution, as exhibited in the newspaper—there are faults innumerable in the frame of it, and more in the manner of accepting it: it is to be passed by subscription without discussion, the troops are to send deputies, and the army is to preside. There is some cunning, however, in making the subscribers to the constitution renounce the House of Bourbon, they are to give their word for the deposition of the King, and take Napoleon's word for their own liberty; the offer imports nothing which can be relied on, except that he is afraid of the Allies. Disperse the alliance, and farewell to the liberty of France, and safety of Europe.

Under this head of ability to combat Buonaparté, I think we should not despair.

With respect to the justice of the cause, we must observe, Buonaparté has broken the Treaty of Fontainbleau—he confesses it—he declares he never considered himself as bound by it: if, then, that Treaty is out of the way, he is as he was before it—at war. As Emperor of the French, he has broken the Treaty of Paris—that Treaty was founded on his abdication; when he proposes to observe the Treaty of Paris, he proposes what he cannot do, unless he abdicates.

The proposition that we should not interfere with the government of other nations is true, but true with qualifications—if the government of any other country contains an insurrectionary principle as France did, when she offered to aid the insurrections of her neighbours, your interference is warranted; if the government of another country contains the principle of universal empire, as France did, and promulgated, your interference is justifiable. Gentlemen may call this, internal government, but I call this, conspiracy. If the government of another country maintains a predatory army such as Buonaparté's, with a view to hostility and conquest, your interference is just. He may call this, internal government, but I call this a preparation for war. No doubt he will accompany this with offers of peace; but such offers of peace are nothing more than one of the arts of war, attended, most assuredly, by charging on you the odium of a long and protracted contest, and with much common place, and many good saws and sayings, of the miseries of bloodshed, and the savings and good husbandry of peace, and the comforts of a quiet life; but if you listen to this, you will be much deceived—not only deceived, but you will be beaten. Again, if the government of another country covers more ground in Europe, and destroys the balance of power, so as to threaten the independence of other nations, this is a cause of your interference. Such was the principle upon which we acted in the best times; such was the principle of the grand alliance; such the triple alliance; and such the quadruple; and by such principles has Europe not only been regulated, but protected. If a foreign government does any of those acts I have mentioned, we have a cause of war; but if a foreign power does all of them, forms a conspiracy for universal empire, keeps up an army for that purpose, employs that army to overturn the balance of power, and attempts the conquest of Europe—attempts, do I say?—in a great degree achieves it, (for what else was Buonaparté's dominion before the battle of Leipsic?) and then receives an overthrow, owes its deliverance to treaties which give that power its life, and these countries their security, (for what did you get from France but security?)—if this power, I say, avails itself of the conditions in the Treaties, which give it colonies, prisoners, and deliverance, and breaks those conditions which give you security, and resumes the same situation, which renders him capable of doing the same mischief; has England, or has she not, a right of war?

Having considered the two questions, that of ability and that of right, and having shown that you are justified on either consideration to go to war; let me now suppose, that you treat for peace—first, you will have a peace upon a war establishment, and then a war without your present Allies: it is not certain that you will have any of them; but it is certain that you will not have the same combination, while Buonaparté increases his power, by confirmation of his title, and by further preparation; so that you will have a bad peace and a bad war. Were I disposed to treat for peace, I would not agree to the amendment, because it disperses your Allies, and strengthens your enemy, and says to both, we will quit our alliance to confirm Napoleon on the throne of France, that he may hereafter more advantageously fight us, as he did before, for the throne of England.

Gentlemen set forth the pretensions of Buonaparté—gentlemen say, that he has given liberty to the press. He has given liberty to publication, to be afterwards tried and punished according to the present constitution of France, as a military chief pleases; that is to say, he has given liberty to the French to hang themselves. Gentlemen say, he has in his dominions abolished the Slave Trade—I am unwilling to deny him praise for such an act; but if we praise him for giving liberty to the African, let us not assist him in imposing slavery on the European. Gentlemen say, will you make war upon character? but the question is, will you trust a government without one? What will you do if you are conquered, say gentlemen—I answer, the very thing you must do, if you treat—abandon the Low Countries. But the question is, in which case are you most likely to be conquered, with allies or without them? Either you must abandon the Low Countries, or you must preserve them by arms; for Buonaparté will not be withheld by treaty. If you abandon them, you will lose your situation on the globe, and, instead of being a medium of communication and commerce between the New World and the Old, you will become an anxious station between two fires—the continent of America, rendered hostile by the intrigues of France, and the continent of Europe possessed by her arms. It then remains for you to determine, if you do not abandon the Low Countries, in what way you mean to defend them, alone or with allies.

Gentlemen complain of the Allies, and say, they have partitioned such a country, and transferred such a country, and seized on such a country. What! will they quarrel with their Ally, who has possessed himself of a part of Saxony, and shake hands with Buonaparté, who proposed to take possession of England? If a prince takes Venice, we are indignant; but if he seizes on a great part of Europe, stands covered with the blood of millions, and the spoils of half mankind, our indignation ceases; vice becomes gigantic, conquers the understanding, and mankind begin by wonder, and conclude by worship. The character of Buonaparté is admirably calculated for this effect—he invests himself with much theatrical grandeur; he is a great actor in the tragedy of his own Government; the fire of his genius precipitates on universal empire, certain to destroy his neighbours or himself; better formed to acquire empire than to keep it, he is a hero and a calamity, formed to punish France, and to perplex Europe.

The authority of Mr. Fox has been alluded to—a great authority, and a great man; his name excites tenderness and wonder—to do justice to that immortal person, you must not limit your view to his country; his genius was not confined to England, it acted three hundred miles off, in breaking the chains of Ireland; it was seen three thousand miles off in communicating freedom to the Americans: it was visible, I know not how far off, in ameliorating the condition of the Indian; it was discernible on the coast of Africa, in accomplishing the abolition of the slave trade. You are to measure the magnitude of his mind by parallels of latitude. His heart was as soft as that of a woman—his intellect was adamant—his weaknesses were virtues, they protected him against the hard habit of a politician, and assisted nature to make him amiable and interesting. The question discussed by Mr. Fox in 92, was, whether you would treat with a revolutionary government?—the present is, whether you will confirm a military and a hostile one? You will observe, that when Mr. Fox was willing to treat, the French, it was understood, were ready to evacuate the Low Countries. If you confirm the present Government, you must expect to lose them. Mr. Fox objected to the idea of driving France upon her resources, lest you should make her a military government. The question now is, whether you will make that military government perpetual? I therefore do not think the theory of Mr. Fox can be quoted against us; and the practice of Mr. Fox tends to establish our proposition, for he treated with Buonaparté and failed. Mr. Fox was tenacious of England, and would never yield an iota of her superiority; but the failure of the attempt to treat was to be found, not in Mr. Fox, but in Buonaparté.

On the French subject, speaking of authority, we cannot forget Mr. Burke—Mr. Burke, the prodigy of nature and acquisition: he read every thing, he saw every thing, he foresaw every thing—his knowledge of history amounted to a power of foretelling; and when he perceived the wild work that was doing in France, that great political physician, intelligent of symptoms, distinguished between the access of fever and the force of health: and what other men conceived to be the vigour of her constitution, he knew to be no more than the paroxysm of her madness, and then, prophet-like, he pronounced the destinies of France, and, in his prophetic fury, admonished nations.

Gentlemen speak of the Bourbon family—I have already said, we should not force the Bourbon upon France; but we owe it to departed (I would rather say to interrupted) greatness, to observe, that the House of Bourbon was not tyrannical; under her every thing, except the administration of the country, was open to animadversion; every subject was open to discussion, philosophical, ecclesiastical and political; so that learning, and arts, and sciences, made progress—even England consented to borrow not a little from the temperate meridian of that Government—her Court stood controlled by opinion, limited by principles of honour, and softened by the influence of manners—and, on the whole, there was an amenity in the condition of France, which rendered the French an amiable, an enlightened, a gallant, and accomplished race: over this gallant race you see imposed an oriental despotism; their present Court has gotten the idiom of the East as well as her constitution; a fantastic and barbaric expression, an unreality, which leaves in the shade the modesty of truth, and states nothing as it is, and every thing as it is not: the attitude is affected, the taste is corrupted, and the intellect perverted. Do you wish to confirm this military tyranny in the heart of Europe?—a tyranny founded on the triumph of the army over the principles of civil government—an experiment to relax the moral and religious influences, and to set heaven and earth adrift from one another — an insurrectionary hope to every bad man in the community, and a frightful lesson of profit and power, vested in those who have pandered their allegiance from King to Emperor, and now found their pretensions to domination on the merit of breaking their oaths, and deposing their Sovereign. Should you do any thing so monstrous as to leave your Allies in order to confirm such a system, should you forget your name, forget your ancestors, and the inheritance they have left you of morality and renown, should you astonish Europe by quitting your Allies to render immortal such a composition, would not the nations exclaim, "You have very "providently watched over our interests, "and very generously have you contributed to our service—and do you falter "now?" "In vain have you stopped in "your own person the flying fortunes of "Europe, in vain have you taken the "eagle of Napoleon, and snatched invincibility from his standard, if now, "when confederated Europe is ready to "march, you take the lead in the desertion, and preach the penitence of Buonaparté and the poverty of England."

As to her poverty, you must not consider the money you spend in your defence, but the fortune you would lose if you were not defended—and further, you must recollect you will pay less to an immediate war, than to peace with a war establishment, and a war to follow it—recollect further, that whatever be your resources, they must outlast those of all your enemies; and further, that your empire cannot be saved by a calculation: besides, your wealth is only part of your situation—the name you have established, the deeds you have achieved, and the port you have sustained, preclude you from a second place among nations; and when you cease to be the first, you are nothing.

Sir *Francis Burdett* said, he had hoped it would have fallen to an abler hand to answer the elegant appeal which had been made to the passions of the House,—an appeal which contained, together with the most brilliant antitheses and the most various talent, the most exaggerated statements, not inferior to those which the right hon. gentleman had pointed out in the state papers of the French ruler. He nevertheless, should venture to make a few observations on the justice and on the expediency of entering upon a war for the re-establishment in France of a family twice proscribed. It was the same to say to France, you shall have this government, as to say, you shall not have that other government; because the threat implied a power to conquer the country in question, and to whatever end it was applied, it alike showed a power to conquer the nation against whom it was directed. The election of Buonaparté had been made not only by a great majority of the people, but by a greater majority than had ever elected any other monarch; for the duke of Angouleme had stated, that the few troops which he had with him remained faithful to the Bourbons, till seduced by the persuasions or menaces of the population of the country. When Buonaparté first landed in France he was supported by a very small number of troops, much smaller than that by which king William was supported when he landed in this country. When we recollected the principles on which our ancestors proceeded, the indignation which was felt by them at that principle which was now called the support of legitimate sovereigns, and how successfully they had contended against it; we were not accustomed to survey them with regret, but with exultation. Our ancestors, indeed, went greater lengths than he could approve of—they set a price on the head of the person who was, according to the laws of hereditary succession, the legitimate monarch. They placed him in the situation in which the Declaration of Vienna placed Buonaparté, and authorized the assassin to aim the dagger against him. As to the States who were now armed against Buonaparté, they had, when there was an opportunity to gratify their lust of power, shown as little regard to treaties as Buonaparté; they had broken all engagements with one another, with him, and with this country. They had all joined with Buonaparté at different times against us; witness the armed neutrality, the appropriation of Hanover by Prussia, witness the various alliances of Austria with France. The Powers who now accused Buonaparté of breach of treaty, were those who divided Poland; after committing the most horrid atrocities in that unhappy country, and reeking with its blood, they proceeded to play the same game in France, had their power been equal to their cupidity. They were driven back with shame, and it was to be recollected, that at the time of the first attack on France, not only was the French army in a much worse state than at present, but a civil war raged in La Vendée; and we were then told, as we were now told, that she was on the verge of bankruptcy, and without men, money, or arms. The destruction of the power which the aggression of the Allies established, was owing to causes quite unconnected with the efforts of this country. Buonaparté's own rashness and precipitation overturned that fabric of French greatness, against which all the rest of Europe had wasted their strength in vain. When the fortune of that man began to turn, his ruin was consummated by the breach of their treaties on the part of the Allies—conduct justifiable, perhaps, because those treaties were imposed on them by his superior power against their own will. But was that treaty by which Buonaparté retired to Elba, a voluntary engagement on his part—or was it more cheerfully entered into than those treaties of alliance which bound Austria, Prussia, and Bavaria, to Napoleon, and which those Powers violated without the least remorse or pretext? Where, then, was the difference between those Powers and Buonaparté? We should recollect, that the name of the Bourbons, whom we now attempted to re-establish, had been held synonimous with perfidy; and it had been said by an historian of our own, that Louis 14 had been unlucky, because he had never found any good pretence for breaking those treaties which he always violated when it suited the purpose of his ambition. The emperor of the French was therefore, except in point of talents, much on a par with other monarchs. Besides, we had not been faultless towards him: witness the Treaty of Amiens. We had broken that treaty on false pretences, and had refused to give up Malta, which we stipulated to deliver to him. We should remember also the violence done to the French ambassadors under the Austrian protection, when they were forced out of Rastadt and attacked by the Austrian Hussars, and their dispatches taken from them. There was much to blame and much to lament in the conduct of all parties during the late twenty years war; but there was much, also, from which we should learn. When there was nothing to fear but from French principles, this country and the other Powers of Europe marched to put an end to those principles—by that act France was erected into a great military nation, and the consequence which naturally followed was, that she subdued almost all the states of Europe. That Power was now by accident reduced again within its ancient limits, and should we, by a new attack upon its independence, drive it again to exert its strength, which nothing but an assault upon its feelings could arouse? We had seen the conduct of the Allied Powers, when they had, to use their own phrase, delivered Europe! They set up and cast down according to their will, and obliterated states from the face of Europe; delivered nations to rulers whom they abhorred, and had shown respect neither to the feelings of the people, nor to what had been called the legitimacy of sovereigns. With this rotten state of Europe we were about to enter on a crusade against an individual, because we could not rely on his word. If Buonaparté had no monarchs in alliance with him, he could not fail to have allies among the people. Would not Holland, Saxony, Genoa, Poland, and Italy, support him, as soon as they had an opportunity to do so? But on the French we made it imperative to support him, unless they were such mere idiots as were described by the right hon. gentleman who spoke last, as to suppose that the Allies marched in support of the Bourbons from a disinterested love of liberty. When an invasion was threatened, whatever differences existed before, the danger would accommodate, and Buonaparté, as the greatest general, must be the leader of an insulted and unanimous nation. If Buonaparté was of that unrelenting mind which he was described to possess, we should afford him an opportunity to re-establish that enormous power which he had once possessed. We made the war necessary to France, and therefore just; for a menace on the most insignificant subject was a violation of independence. This country had unfortunately become entangled in German politics; and while we had all the disadvantage of being engaged in every continental war, we had, it was true, the advantage of paying all our Allies; and while we had the greatest solicitude for the welfare of every other country, we had the most magnanimous disregard of our own liberties and constitution.—The hon. baronet then took a survey of the conduct of this country towards Ferdinand 7, and the Spanish Cortes; and concluded, that from the indications given by our Government in those transactions, the pretext for war with Buonaparté, was not the real cause. He asked, had the stipulations of the Treaties of the Allies been kept with Buonaparté? Had they not all been violated? and was it not even in contemplation to remove him from Elba? If such was the case, it was magnanimous, as well as wise in Buonaparté to appeal again to the people of France, by putting his life in the hand of every Frenchman who chose to take it, or of Louis, if he could have raised, out of thirty millions of subjects, a few thousand adherents. The pretence, that if we forbore to make war at the present moment, we should never be able to keep our Allies together, was no great compliment to them, because it supposed that same faithlessness to exist in them for which we declared war against Buonaparté. If, too, we could conquer France with our three Allies, could we not with them defend ourselves against her? The hon. baronet then forcibly remarked on the impolicy of making an independent state of Belgium, which our ancestors had always held to be the best security against aggression from France when in the hands of another great Power; and concluded by observing, that if the principle of interfering in the concerns of a foreign government was once acknowledged, wars would be eternal, unless a perfect similarity existed in all the governments of Europe—the Power interfering being the judge, despotic governments would always be at war against free states, the principles of the two being directly hostile: as the war, therefore, was neither just nor necessary, he should support the amendment.

Mr. *Law* imagined that the hon. baronet had referred to any journals but those of the House, and had argued from any principles but those recognised by the Legislature on so many occasions. He could not conceive at what period it was that the enemy dated his triumphs in negociation, because the merits of every negociation could at last only be judged of by a succession of events: but looking at the future course of events, as far as it was permitted for us to see, he thought we might reasonably entertain the hope that so vast a train of successes as had lately occurred, had not occurred in vain.

Mr. *Wynn* defended the general right of interfering with the internal government of another, and supported the principle by adducing arguments from the history of the various alliances in Europe formed for that express purpose. He said he would not rely on any improvement in the disposition of Buonaparté, nor repose on any arguments deduced from the age of Buonaparté. His age was forty-six—the same as the duke of Wellington; and surely no one could say that the efficiency of either was impaired by it. He remarked on the military preparations made by Buonaparté when he proposed his new constitution at the Champ de Mai, and contrasted it with the custom in England, where the military force were removed during every popular discussion. It was said that Buonaparté lost his empire because he had made one false move; the fact was, he was so closely pressed on all sides, that he had no good move left, and was, therefore, compelled to make a false one. But that necessity was evidently occasioned by the various judicious movements that had been previously made. That Buonaparté was supported principally by the soldiery, was very clear. What did he say in his different proclamations? why, he promised that every thing should be done for the honour and the advantage of the military. The main sin alleged against the Government of the Bourbons was, that under it the interest of the soldiery was not provided for; and it was no wonder that they should adhere to that ruler who pledged himself to minister to their vanity and their ambition. In no instance did the people appear to hail the return of Buonaparté with lively satisfaction. Throughout his progress they seemed to be buried in apathy. The question was, whether the House would now oppose this individual,—who had so long disturbed Europe with his machinations—or wait until he was in a situation again to renew his aggressions? The noble lord had been asked, "Can you state that there will be no falling-off in the Coalition?" Undoubtedly he could not; for every alliance was subject to the operation of human feelings and human passions. But was it prudent, because a chance of its dissolution existed, that they should step forward, and precipitate that event? Under all the circumstances he should certainly vote for the Address. If they agreed to treat, and even concluded a peace with the present Government of France, they would gain nothing by it; since they would still be obliged to keep up an immense military force for the security of the country.

Mr. *Ponsonby* said, he certainly never rose under the operation of such painful emotions on any former question, as he felt on the present occasion; because, in voting as he should do, he was compelled to differ from those, and particularly from a right hon. friend (Mr. Grattan) who had recently spoken, with whom he had been in the habit of acting during the whole course of a long political life. It was not in his power, after the most careful and exact consideration of this important subject, to bring his mind to adopt that course of policy, which his Majesty's ministers recommended to the House, and which his right hon. friend had so powerfully and so eloquently supported. If ministers had depended entirely on themselves for the display and defence of their own measures, it would not have been very difficult to encounter them: but he felt it almost impossible to combat the eloquence of his right hon. friend, and to oppose that voice which had hitherto been always exerted in proclaiming sentiments similar to his own. The question before the House now was, whether they would sanction, by their vote, the conduct of those ministers who had signed the Treaty of Vienna—whether the House would declare an approbation of all the articles of that Treaty? for, it was in vain to argue, that the Address now proposed did not bind them to maintain all the stipulations and engagements entered into at the Congress of Vienna—to carry on war against France, for the purpose of destroying the Government of Buonaparté, and of placing the Bourbons on the throne—and never to lay down our arms till those objects were accomplished. The noble lord had that night told the House, that for a considerable time past this country had been in a state of war. From the statement of the noble lord it appeared, that from the moment Buonaparté violated the Treaty of Fontainbleau, and returned to France—from that moment was this country engaged in war. If the noble lord had made this discovery at the time he first heard of the escape of Buonaparté, he was very niggardly in stating the fact to the House; for when he put a question to the noble lord as to our relations, he was answered, "that we were not in a state of war." And when the former Address was moved, the noble lord declared "that it bound us neither to war nor peace—that the alternative remained perfectly open to the House—and that all the Address pledged us to was, a state of preparation." But now the noble lord informed them, that this country had been in a state of warfare ever since Buonaparté landed in France. He had also stated to the House, that those who were the most averse to the proceedings which had taken place in Congress, might safely vote for the Address, without binding themselves to an approval of those proceedings. He (Mr. Ponsonby) apprehended, that any gentleman who that night voted for the Address, and who, at any future time, expressed a wish to manifest his hostility to the proceedings in the Congress, might very justly be met by the noble lord with the observation, that he was precluded, by the vote he gave on this occasion, from passing any censure on those proceedings. He was not fond, in cases of this kind, of occupying the House by reading extracts; but he was still less fond, where important points were in dispute, of trusting to his own memory; he should, therefore, take the liberty of reading to the House the contract which the noble lord desired them to approve. [Mr. Ponsonby here read Articles 1, 3, and 8, of the Treaty of Vienna. The first binding the Contracting Parties to unite their resources for maintaining entire the Treaty of Paris, and certain stipulations determined on in the Congress at Vienna. The third pledging the Contracting Parties not to lay down their arms but by common consent, nor before the object of the war, designated in the first Article of the Treaty, shall have been attained; nor until Buonaparté shall have been rendered absolutely unable to create disturbance, and to renew his attempts for possessing himself of the supreme power in France. And the eighth inviting his

Most Christian Majesty to accede to the Treaty; and requiring him to state, in the event of his acceding to the Treaty, what assistance circumstances would allow him to bring forward in furtherance of the grand object.] After having read this, continued Mr. Ponsonby, surely no man in the House could doubt, that, if they voted for the Address of the noble lord, they were bound to approve of, and to maintain all the stipulations agreed on and signed at the Congress of Vienna. Many of those stipulations they were unacquainted with; for though they were signed, the noble lord refused to communicate them. Some of them they were acquainted with; and he, for one, entirely condemned them. Would the House be right in now coming to a vote of approbation on that part of the proceedings of Congress, which the noble lord had owned? Would they approve of the giving up of Genoa to the King of Sardinia? Would they approve of the giving Saxony altogether, or in part, to the King of Prussia? Were they prepared to approve of that part of the proceedings of which they were ignorant—proceedings which perhaps handed Poland over to Russia; or recognized some other act equally unjust, equally impolitic, and equally oppressive, as those of which they were apprised? Let no gentleman imagine that, in voting for the Address, he did not express his approbation of every thing contained in the stipulations alluded to in the Treaty:—it was clear, from what he had read, that when he gave his suffrage in favour of the Address, he at the same moment declared his approval of those acts of Congress which were known, as well as of those of which he was ignorant. If at any future time an individual who had voted for the Address, wished to state his disapprobation of the acts of Congress, what would be the answer? Ministers would immediately say, "You, and the House, by voting in favour of the Address, declared a decided approval of that Treaty—which recognised the identical proceedings you now reprobate; and, until you can undo the Treaty, you are uselessly employed in railing against it." The most material part of this Treaty was that by which the Contracting Parties bound themselves to make war upon France, for the purpose of destroying the power of Buonaparté—and by which they entered into an engagement, never to lay down their arms but by common consent of the alliance, and until the object for which they united was accomplished. His hon. friend who spoke last, seemed to think that this was the wisest course of policy that could be pursued. He appeared to think, that there was something in the very nature of Buonaparté's power so inimical to our safety, that the moment he returned to France, but one prudent line of conduct remained for our adoption—the immediate preparation for war. Certainly, if there was something in the character of Buonaparté, and the nature of his power, that rendered war inevitable, his hon. friend's argument was correct. It would not then be a question of war, but of the time of commencing hostilities. Now, he was not one of those persons who meant to deny, that this country had a just cause of war against France. Strictly speaking, the violation of the Treaties of Paris and of Fontainbleau did constitute a cause of war. One of the considerations which induced the Allies to give better terms to France than they would have done, had they treated with Buonaparté, was, the stipulated abdication of that person—and the necessary inference was, that they expected the Bourbons to have remained on the throne of France. He did not deny, that they had a right to expect this; neither did he mean to complain of the principle, in a moral point of view, on which they proceeded to war; but he objected to the expediency of the course which was about to be adopted, and he thought a much better line of conduct might be pursued. The character of Buonaparté, it was argued, rendered it impossible to treat with him. As to the perfidy of Buonaparté being a good reason for not treating with him, he should only observe, that, if we acted always on the principle of refusing the assistance of those Sovereigns who had acted faithlessly, there was not one of those Powers with whom we were now in alliance, with whom we should not have been in a state of hostility. There was not one of them, particularly Russia and Austria, that was not in possession of advantages obtained by arts as perfidious as any of those ever made use of by Buonaparté. What was the conduct of the empress Catherine towards Poland? At the very moment when her troops were marching to dismember that unfortunate country, she wrote a letter, with her own hand (one of those autographs to which the noble lord attached such value), to the King of Poland, declaring her intention of preserving the independence of his territories. This she did at the time her troops were marching to take possession of that ill-fated kingdom. Surely Buonaparté never was implicated in a more perfidious transaction. The right hon. gentleman still farther exemplified his proposition by adverting to the scandalous conduct of Austria; who, having joined a coalition against France, when she found herself unable to continue the contest, received permission from France to seize on the ancient republic of Venice, for which, in return, France was suffered to annex the Low Countries to her territories. At a later period, when the Treaty of Paris was concluded, Europe was told that the Allied Sovereigns would restore all the ancient Governments. And how did they act? They destroyed the republic of Genoa. They went still farther. In spite of the remonstrances of those Saxon generals and soldiers, whose exertions turned the fortune of the day at Leipsic, their native country was turned over to Prussia. And the noble lord himself said, that he had no sort of objection, moral or political, to the transfer, which he conceived to be a proper punishment for the King of Saxony, and a measure likely to have a very salutary effect on the minor German States. This was the conduct pursued at Congress! This was the conduct the noble lord now called on the House of Commons of England to sanction! But it was said, "if you will not make war on him, he will certainly make war on you; and it is better that you should select the time, than leave it to him." This, however, was assuming the whole question. Our efforts made Buonaparté a military chief, and converted France into a great military Power; and to make him less military, and the country less hostile, we were determined to go to war. Was that the way to curb and reduce that military spirit of which so much apprehension was entertained? He conceived it must have an effect entirely opposite.—As to the abstract subject of peace or war, he was not now called on to debate it—since the noble lord had told them, that the country was actually in a state of hostility. The question merely was, "whether the House would express an opinion in favour of what had been executed at Congress?" At no time could that House be parties to a treaty. They might impeach ministers for advising that which was wrong—or they might refuse to state an opinion on that which was not fully explained to them with reference to a treaty, and that was all his noble friend intended to do. He felt that the House could not agree to the Address, since they were not acquainted with all the stipulations with which the Treaty was connected, and, therefore, he had proposed the amendment.—The right hon. gentleman then went into a minute review of the Treaty, and contended, in a very forcible argument, that, however it might be denied, the real object of the war was, not merely to dethrone Buonaparté, but to replace the House of Bourbon at the head of the French Government. This was the contract which the Allied Powers had covenanted to fulfil, and he conceived it to be a most unwise and impolitic one. They were told, however, that so favourable a time for attacking Buonaparté would never occur again, since France was not in a state to offer much resistance. His right hon. friend had described the French Ruler as being without cavalry—without money—without credit—and without title. If he were in this deplorable state, why had not our army marched into France, and driven him from the throne? Why do we wait for Austria, Russia, and Prussia, when we might obtain all the glory ourselves? He was afraid that the ardour of his right hon. friend's imagination had weakened the strength of his judgment, and, together with his hatred of Buonaparté, had caused him to overlook many difficulties which were plainly seen by others. It was argued, that the people of France were adverse to Buonaparté. He knew it was at all times difficult to collect the sentiments of a nation; but there were here very strong indications that a great portion of the French people were favourable to him. Of this he was convinced, that if they were not attached to Buonaparté, no better mode could be devised, for the purpose of creating that attachment, than carrying on the war in the manner intended. This fact was of great importance, in viewing this part of the subject, that though Louis the 18th had filled the throne of France for a year, not an arm had been raised in his defence, not a drop of blood had been shed in the protection of his rights, when Buonaparté landed in France, and he was obliged to quit the capital of his dominions, without a single effort being made to support his claim to the throne. Every moment of Buonaparté's life, they were told, showed the falseness of his nature. And the noble lord, to prove this, had referred to a French newspaper, an extract from which he had read to some persons in France, who immediately declared there was no truth in the different statements. But this was not a very happy illustration of the noble lord's position, for when the newspapers were under the influence of the French monarchical Government, they were by no means backward in the propagation of falsehoods. The noble lord must recollect the numerous fabrications which appeared in those papers from the time Buonaparté landed until he arrived in Paris.—It was argued that we were now in a better, and France in a worse state, for proceeding to war, than was the case last year. This he did not believe to be the fact. We had recently lost great numbers of excellent officers and soldiers; and he believed ministers had not yet made up the deficiency. While, on the other hand, Buonaparté having got back all his prisoners, and having made great exertions to levy additional troops, would stand in a much better situation than he did at the close of the last war, when his forces did not amount to more than 70 or 80,000 men. The right hon. gentleman then adverted to that part of the Treaty, by which the parties contracted never to lay down their arms till the object of the war was obtained. This stipulation he strongly objected to. However firm the coalition now was, we might be again deserted by our Allies, as we before had been. What then would be the consequence? Why, this country would be reduced to the humiliating situation of entering into negociations with that Power which we now contemned. The war surely might have been commenced without this country being called on to enter into such a stipulation. He was one of those, however, who thought that this country, in conjunction with her Allies, could make a peace more sure and favourable than ever could be procured by warfare. He did not mean to rely on the character of Buonaparté. He acknowledged his abilities, but he respected not his character. Still he thought that his situation might be so much altered, as to compel him to agree to such an arrangement as would give permanent security to Europe. The right hon. gentleman concluded by expressing his determination to vote for the amendment.

Mr. *Plunkett* thought that the House was now, for the first time, called upon to give an opinion of the policy of peace or war, under the present circumstances of the country and of Europe. This was a question of the utmost importance, at all times, and under all circumstances. It was important as it involved the fate of many human beings, who must be sacrificed in war: it was still more important, as it involved the fate of this country, and the other nations of Europe. He was ready to admit that, to which ever side we turned, we were encountered by dangers; and that we were so surrounded with evils, that nothing was left us but a choice of evils. He should consider that man as precipitate in his judgment, and a very rash counsellor, who would pretend, at present, to foretell either the duration or the issue of this war. He would have as little confidence in the judgment of any person, who would say, that he considered that a peace negociated with Buonaparté would afford sufficient security to the country. He should have been well contented to have given a silent vote on the present occasion, if he had not found himself under the necessity of differing from those friends whom he so highly respected, with whom he had so long acted, and with whom he hoped long to act. Differing, however, so materially from them upon this question, he felt it necessary for his own justification, to explain to the House the grounds of his difference. In rising to answer the arguments of his right hon. friend who spoke last, he felt some consolation in being protected by the paramount ability of another right hon. friend who sat near him (Mr. Grattan). It appeared to him that his right hon. friend who spoke last was completely mistaken, when he conceived that the House was now called upon to give its sanction to all the stipulations of the Treaty negociated at the Congress of Vienna. The House was not called upon for any such opinion. He could see no absurdity or impropriety in calling upon the House to sanction one part of a treaty, without calling for their opinion on all the points of it. Even if he were to admit the force of all the objections which had been made to other parts of the arrangements made at the Congress at Vienna, he should still be most decidedly of opinion on the question now before the House, that we ought, in conjunction with our Allies, to prosecute the war against Buonaparté. He really wished to hear the sincere opinion of the right hon. gentleman and his friends, as to what conduct the country ought to pursue under the present circumstances. Would any man say that we ought to make peace with Buonaparté, and war with our Allies; or would they say, that we should altogether desert our Allies? It had been said, that we ought to negociate with Buonaparté in concert with our Allies. If it were then admitted, that we ought to negociate in concert with our Allies, it must also be allowed, that if those negociations were not successful, we must go to war with France in concert with those Allies. How, then, was it possible to separate the cause of this country from that of the Allies, even upon the supposition of trying negociation instead of war? He did not believe that any of those who recommended negociations with Buonaparté, would deny that those negociations might be unsuccessful; and if they were carried on in concert with our Allies, we could no more desert them in war than in the negociation. He was really at a loss to perceive how the argument on the present occasion could be at all helped, by finding faults in the conduct of the Allies upon former occasions. The faithlessness of those Powers (if they had been faithless) did not apply to the present question. If it was Austria and Prussia that were preparing an attack upon this country, then we might talk about their faithlessness on former occasions. It was, however, from France and the faithlessness of her Government that danger to this country was apprehended. What answer was it to this apprehension, to say that other Powers had been faithless too? Such an answer had evidently nothing to do with the question now before the House. As long as France chose to submit to the Government of Buonaparté, he could see that neither honour, nor peace, nor any thing that was desirable for this country, could be expected by entering into a negociation with him. As to the right of interfering with the internal affairs of any other country, he should admit, that as long as their internal arrangements did not menace the peace and security of other countries, there could be no right to interfere: but, when the internal arrangements of one country did threaten the peace and security of others, it appeared to him as clear as the light, that interference was justifiable. If it were asked, whether any thing in the personal character of a ruler would justify other nations in not treating with him, he should answer by stating a supposed case. Supposing, then, that any nation should, in time of peace, put itself into an extraordinary state of preparation for war, —if that nation should organize itself in such a manner as to be perpetually prepared for commencing offensive war—if that nation should embody itself under the command of a military chief of great talent and experience in the art of war—if, for 15 years, Europe had experienced that the efforts of that nation were uniformly directed to aggression, conquest, and spoliation,—if Europe had been obliged in self-defence to carry its arms into the heart of that country, if the capital of that country was taken—if the conquerors in their magnanimity and moderation offered a peace which was accepted with gratitude—if that Treaty was accepted with gratitude by that individual who abdicated the throne, and if, after ten months, that guilty individual was to be recalled by a licentious soldiery, for the purpose of fresh aggression—was he then to be told in that House, that neither we nor the other nations of Europe had any right of interference with the internal arrangements of such a nation? How did it happen that the just and legitimate Sovereign of France had been driven from his throne? It was because his unambitious virtue made him appear to the soldiery, not to be a proper instrument to wield the unsocial and unnatural energies of the French empire. If it were said that personal character had nothing to do with the question, he should ask, why was the Treaty of Paris ever entered into? That Treaty turned entirely on personal character, and those stipulations were considered satisfactory when made with the lawful Sovereign of France, that would not have been entered into with Buonaparté. If we were to take the common feeling of mankind upon this subject, we must recollect how universally the abdication of Buonaparté was hailed in this country, as an event more important than the most brilliant victories. Our question was, not now merely with Buonaparté, but it was with France. She had purchased the benefits of the Treaty of Paris, by giving up Buonaparté, and taking her lawful Sovereign, in whom Europe had confidence. If we were now to declare that we were ready to treat with Buonaparté, it would at once put an end to the coalition. If we were to tell the French people that we were ready to negociate with Buonaparté as their ruler, it would at once destroy all the hopes that might now fairly be entertained of the co-operation of a considerable portion of the nation. When, however, we saw the situation in which Buonaparté now stood; when we saw him reduced to make professions contrary to his very nature; when we saw the vessel in which his fortunes were embarked labouring with the storm, and its mast bowed down to the water's edge, it would be the height of impolicy and absurdity to hesitate on the course that we had to pursue. We had now a most powerful combination of allies, not fomented by us, but acting from the moral feeling which pervaded all Europe. If we were foolish enough to throw away those means, we could never hope to recall them. Those of his friends who had talked the most about husbanding the resourses of the country, had confessed, that when an occasion should arrive, when some important blow could be struck against the enemy, that system should no longer be persevered in. That important crisis had now arrived. It was vain to expect that a more favourable opportunity would ever arrive. All the great Powers of Europe were now with us, and a considerable portion of the population of France. It had been said, that invading France would be the way to unite the population of that country. The fact, however, was directly the reverse. The not invading France would be the sure means of reducing the whole population under the power of the present ruler. He considered that we had, in fact, no option between peace and war. As for peace, we could have no more than a feverish, unrefreshing dream of peace, still haunted by the spectre of war. In point of finances, we should find a peace with a war establishment, an evil much greater than war itself. If we did not now go to war in conjunction with all the great Powers of Europe, we would soon be reduced to a war single-handed against France. If we did not now invade France, and carry on the war upon her territories, the time might arrive when our country would become the seat of war, and we should fall unpitied and despised. If we were now to turn our back upon the great Powers that were our allies, we should deserve that all nations should turn their backs upon us, when we began to feel the consequences of our impolicy.

Mr. *Tierney* thought it a most unwise thing, and unprecedented in the history of the world, to commence a war for the mere purpose of getting rid of one man. When the Allies last year talked of giving better terms to France in consequence of the restoration of the Bourbons, they by that very language implied that some terms would have been granted to Buonaparté, and certainly did not sanction the idea that there could be no peace with that individual. Buonaparté had committed no new atrocities since that period. He did not believe, indeed, that his character was at all changed; doubtless, he would wish to be at the head of a powerful army, to wipe away what he considered a stain on his military reputation; but for that very reason, this country should not be anxious to put him in such a situation. At present he firmly believed, that the popular feeling in France was for peace; nor did he think that Buonaparté had the disposal of the army. Carnot and the Constitution-mongers, as they were called, had immense influence over the military, and it certainly was not their object to have a military government. As the Allies, it was very evident, did not stir without the stimulus of our subsidy, Buonaparté would have a strong case to urge against what he would call the restlessness and ambition of this country. For ourselves, though we might not now be in the situation to want peace on any terms, yet he sincerely believed that in two years we should be in such a condition. He feared that the real object of the war was to replace the Bourbons, though the ministers did not venture to avow such an intention; for they knew that not even in that House, and much less in the country, would they meet with support if they openly declared that they were actuated by such a motive. The good sense of the country would never submit to such a cause of going to war. Mr. Tierney said he firmly believed, it would be impossible to continue the war for two years without the ruin of public credit, and that it was altogether visionary to suppose that the contest could be a short one.

Lord *Milton* declared, that he went to a vote on this question with trembling and pain, and that he felt compelled to state the reasons which induced him to dissent from his noble friend, and to vote for the Address. These were, that Buonaparté had been guilty of a breach of faith, that the French nation were, what was called in law, accessaries after the fact, and that

Europe was placed, with relation to France, precisely in the state which she was before the Treaty of Paris. The noble lord thought it was better to have war with the advantages of war, than peace without the advantages of peace; and considering, as he did, that no faith could be placed in the present ruler of France, he was convinced, that the only real security we could have, was to be found in a vigorous prosecution of the war.

The House then divided:

For the Amendment............	92
Against it	331
Majority............	239

The Address was then agreed to.

List of the Minority.

Abercrombie, hon. J.
Althorpe, viscount
Anson, sir G.
Atherley, Arthur
Bennet, hon. H. G.
Bernard, viscount
Bewicke, C.
Birch, J.
Brand, hon. T.
Byng, George
Burdett, sir F.
Butterworth, J.
Buller, James
Cavendish, H.
Cavendish, hon. F. C.
Campbell, hon. J.
Campbell, gen. D.
Coke, T. W.
Chaloner, Robert
Dundas, Charles
Dundas, hon. L.
Duncannon, visc.
Doveton, Gabriel
Fitzgerald, rt. hon. M.
Fitzroy, lord J.
Fergusson, sir R.
Foley, hon. A.
Foley, T.
Greenhill, Robert
Gordon, Robert
Grant, J. P.
Graham, Sandford
Guise, sir Wm.
Halsey, Joseph
Hamilton, lord A.
Hanbury, Wm.
Heathcote, sir G.
Heron, sir R.
Hornby, Edmund
Hurst, Robt.
Horner, Francis
Howorth, H.
Latouche, R.
Lemon, sir Wm.
Lloyd, J. M.
Lloyd, sir Edw.
Lyttelton, hon. W. H.
Leach, W.
Langton, Gore
Madocks, Wm.
Martin, J.
Martin, H.
Maitland, hon. A.
Monck, sir C.
Moore, Peter
Morpeth, visc.
Mostyn, sir T.
Molyneux, hon. H.
North, D.
Newport, sir J.
Neville, hon. R.
Paulett, hon. W. V.
Parnell, sir H.
Pierse, H.
Philips, G.
Piggott, sir A.
Prittie, hon. F.
Plumer, Wm.
Ponsonby, rt. hon. G.
Power, R.
Pym, F.
Ramsden, J. C.
Ridley, sir M. W.
Romilly, sir S.
Rowley, sir W.
Russell, lord W.
Scudamore, R. P.
Sebright, sir John
Shelley, Tim.
Smyth, J. H.
Smith, Wm.
Stanley, lord
Taylor, M. A.
Taylor, C. W.
Tavistock, marquis
Tierney, rt. hon. G.
Walpole, hon. G.
Western, C. C.
Wharton, J.
Williams, Owen
Winnington, sir T.
Whitbread, Sam.
Tighe, Wm.
Jekyll, Joseph
Spiers, A.
Calvert, Charles

TELLERS.
Cavendish, lord G.
Smith, John

PAIRED OFF.
Mackintosh, sir J. Osborne, lord F.

HOUSE OF LORDS.

Friday, May 26.

NAVAL ADMINISTRATION OF THE COUNTRY.] The Earl of *Darnley* said, he understood that the papers which he had moved for relative to the naval administration of the country had now been laid on the table, and might be expected soon to be printed. The American war had, indeed, been ended, but at the same time an investigation into the naval administration as connected with that war might not be without its advantages. A new war had now commenced, or was about to commence in Europe; and though many were of opinion that it would not be of long duration, yet it could not be denied that the contrary was at least possible. The effect of a long duration of the European war might be the means of bringing about another American war; for the same question would arise, and perhaps give occasion to a renewal of hostilities. Under these circumstances, he thought it might be useful still to call their lordships attention to this subject, not so much with a view to censure the past as to provide against the recurrence of similar evils in future. In the hopes that all the papers would soon be printed, he now gave notice, that he should submit to their lordships a motion on this subject on Tuesday se'nnight, and he moved that the Lords be summoned for that day; which was ordered accordingly.

HOUSE OF COMMONS.

Friday, May 26.

IRISH LAW OFFICES FEES BILL.] Sir *John Newport* moved the second reading of the Bill "to regulate the Fees and Emoluments of certain Offices of the Courts of Law in Ireland after the determination of the now existing Grants thereof respectively."

The *Speaker* intimated to the right hon. baronet, that on days when notice was given of votes in the committee of supply, it was customary to discuss them first.

Sir *J. Newport* said, he would not press the measure on the present occasion; but he had, in compliance with the wishes of his Majesty's ministers, postponed it so often, that he began to fear, at this late period of the session that, if he did not persist in his motion, it would not be brought on at all. Another reason which induced him to proceed was, that he had heard with astonishment, it was intended to oppose the Bill. He, therefore, should move, "That the Bill be now read a second time."

Mr. *Peel* said, he should feel it his duty to oppose the second reading of this Bill, and he trusted he should be able to satisfy the House of the propriety of refusing to assent to the motion of the right hon. baronet. The measure then before the House purported to be a bill to regulate the fees and emoluments of certain law offices in Ireland; and the reason stated by the right hon. baronet for introducing it was, that the amount of those fees and emoluments was greater than the nature of the situations called for, and that the Legislature had already interfered in cases of a similar kind. In proof of this assertion, the right hon. baronet referred to two bills, which had passed that House, the one introduced in 1810, the other in 1812. On these two bills the right hon. baronet founded the propriety of bringing in the measure then before the House; and he begged to state the nature of those bills. The first was brought forward by the right hon. gentleman (Mr. Wellesley Pole) who preceded him in the office of chief Secretary for Ireland; and the right hon. baronet had given to his measure the same title as that given to the Bill of his right hon. friend, but its provisions were entirely different. The Bill of 1810 went merely to regulate the emoluments of offices; but that of the right hon. baronet not only went to regulate fees, but to alter the tenure on which the offices specified were held, and to prevent the Crown from granting them on the same principle by which those grants were at present regulated. It went directly to provide, that the duties of those offices should no longer be performed by deputy, but that they should in future be executed by the parties themselves. Now the Bill of his right hon. friend (Mr. W. Pole) provided for the appointment of deputies, who should return to the Treasury, the amount of fees taken by their principals. The second Bill was introduced by an hon. gentleman on the floor (Mr. Bankes). That Bill was for the purpose of abolishing sinecure offices, and offices performed by deputy; and the title of this Bill would, in his opinion, be much more applicable to the measure of the right hon. baronet than that which he had chosen. The right hon. baronet's Bill, however, differed materially from that of the hon. member for Corfe Castle. In each instance, it was true, certain offices were to be abolished in the same way; but the preamble of the Bill introduced by the hon. member for Corfe Castle set forth, that it was expedient, after giving to his Majesty the means of rewarding meritorious services, to abolish all offices of a specified description. Now, the right hon. baronet could not say, that he had accompanied his Bill for the abolition of certain offices therein mentioned, which were in the gift of the Crown, with any provision by which the Crown would be recompensed for the loss it would sustain if his Bill were carried. The House would therefore perceive, that the two bills to which the right hon. baronet referred, as sanctioning the measure proposed by him, were, in fact, materially different from it. Mr. Peel then proceeded to animadvert on the conduct of the right hon. baronet, in precipitating this Bill, at the very time that commissioners appointed by the House, in consequence of his own motion, were occupied in inquiring into the fees and emoluments attached to some of those very offices which his Bill was intended to abolish. Without waiting for the report of those commissioners, he thought himself competent to bring in a bill to make alterations of a most extensive kind. Surely it would have been more consistent, if, before the right hon. baronet proceeded, he had waited for the report of those commissioners, appointed at his own request, instead of proposing a measure that went to regulate the fees in four of the principal law offices in Ireland.

Sir *J. Newport* said, he had formerly contended, that the principle on which this Bill was founded, had received the sanction and approbation of Parliament, and he would still contend that such was the fact. It proceeded on the same principle as that of the right hon. gentleman opposite (Mr. W. Pole), and that proposed by the hon. member on the floor (Mr. Bankes). The Bill for altering and regulating the Office of Registrar of the Admiralty also recognized and sanctioned the principle. The last-mentioned Bill provided, that the office should not be discharged by deputy—that it should be held only during good behaviour—that was, while the duties were efficiently performed. On these bills he had founded the measure then before the House; and it was impossible to show, that, in principle, it was not similar to them. The right hon. gentleman argued, that he (sir J. Newport) was guilty of inconsistency, in not waiting until the result of a commission, which he had prevailed on the House to accede to, was known. If the House had acceded to the appointment of this commission, no person had to thank the right hon. gentleman for that event, since he had opposed the measure as forcibly as he possibly could. And what did the right hon. gentleman himself do, pending the inquiry? He asked this question, because the right hon. gentleman called on him to desist from attempting to regulate those offices, till the report of the commissioners was laid on the table. Had the right hon. gentleman himself desisted in meddling with those offices, while the commissioners were employed in the investigation? No; he had not;—pending the labours of that commission, the right hon. gentleman had himself given away one of those very offices which he wished to regulate. Was it, he would ask, to be permitted, that offices of 10 or 12,000*l.* a year should be given away, pending the investigation, the moment their present possessors left them? To guard against such an event, he had framed his Bill. But the right hon. gentleman called on him to desist until the result of the labours of the commissioners was laid before the House. Now, he would ask the right hon. gentleman, whether, if one of those places fell, he would desist from filling it up? Would he say, "It is better to wait until the commissioners make their report?" No, he would not; for he had not done so in the case of the office of Clerk of the Crown and Hanaper in Ireland, which was filled up immediately after it became vacant. He knew that offices worth from 9 to 11,000*l.* a year had been given to children. Two offices, the annual emoluments of which amounted to the sums he had mentioned, were now enjoyed by persons to whom they had been given when they were in their cradles—their fathers not being, at the time, professional men. It would be well if the House would look to the persons who brought in the Bill of 1810—a bill which clearly argued the necessity of altering this system. Those persons were the then Chancellor of the Exchequer for Ireland (Mr. Foster), the then Chief Secretary for Ireland (Mr. W. Pole), and the Attorney-General for Ireland. Where the public were called on to load the Consolidated Fund with a variety of necessary burthens—pensions to retired judges, &c.—he conceived they had a right to insist that nothing should be unnecessarily charged upon it. Now, if his Bill were carried, the public would save from 40 to 50,000*l.* per annum, after providing for the payment of those who at present discharged the duties of the offices he wished to regulate. This sum carried to the Consolidated Fund, would assist in relieving it from the difficulties which now pressed upon it. Why, then, did the right hon. gentleman fight so strenuously in support of the system now acted on? His object was to procure patronage. It was for that the right hon. gentleman fought. Jobs, he knew, would not operate so well in influencing the support of gentlemen. It was not so easy to gain them over by gratuities, artfully bestowed. No system, he was aware, was so likely to succeed, as the giving away of those high law offices. At the present moment, one of his Majesty's cabinet ministers was drawing an income of 8,300*l.* per annum (partly made up out of the Consolidated Fund) as the emoluments of one of those offices. Without doing any duty whatever, after paying clerks and attendants, he had a net income of 8,300*l.* To make up the clear sum of 8,300*l.* he had, in the last year, drawn from the Consolidated Fund, 1,460*l.* In proposing the alteration which the Bill provided for, he was supported by ancient as well as modern authority. At the Restoration, the great lord Hale laid it down as a maxim, that the emoluments of law offices should be merely sufficient to remunerate those who performed the business; and that no office should be executed by deputy, but that persons should be appointed, who were properly educated for the performance of the necessary duties. He never could admit, that offices of this description should be bestowed as a remuneration on persons who had filled high situations in the state. It was not fit that the earl of Buckinghamshire should be Clerk of the Pleas in Ireland—drawing large sums from the public, without performing any duty. Public services ought to be properly rewarded; but he would never suffer the public money to be squandered on individuals, who performed no duties, merely for the purposes of aggrandizement and patronage.

Mr. *Peel* said, that after the explanation given on the subject of the office of Clerk of the Pleas, and after the private communication made to the right hon. baronet on the subject, he was astonished that it should again be noticed. As to the office of Clerk of the Hanaper, it became vacant by the death of the earl of Westmeath. It could not be reckoned amongst the offices of great emolument, as it only produced about 1,600*l.* per annum. In disposing of it, there was nothing whatever to fetter the discretion of the Irish government.

Sir *J. Newport* said, he never intended to describe the situation of Clerk of the Crown and Hanaper as equal to other great law offices. He should not have alluded to the filling up of the situation, if the right hon. gentleman had not accused him of inconsistency, in not waiting till the Commissioners of Inquiry in Ireland had made their report.

Mr. *Vesey Fitzgerald* observed, that he never knew an instance of the disposal of any office by the Lord-lieutenant of Ireland, that was not founded on the most pure, upright, and disinterested principles. He thought it was not too much for his right hon. friend (Mr. Peel) to ask the right hon. baronet to abstain from such a sweeping measure as the present, until the report of the commission, appointed at his own desire, was laid on the table of the House. He and his right hon. friend would not oppose a bill, similar to that introduced in 1810, for regulating those law offices—diminishing such emoluments as might, from the circumstance of the times, have grown too great, and giving to the Crown such compensation as, from the nature of the alteration, it had a right to demand: but he never would consent to a bill, taking from the Crown altogether the right to appoint to the offices specified, without, in return, granting such a compensation as would enable the Sovereign to reward the exertions of public servants. He should therefore move as an amendment, "That the Bill be read a second time this day six months."

Mr. *W. Smith* supported the original question. He observed, that very little practical good could be derived from the exertions of the commissioners, if, while they were investigating the nature of an office, and inquiring whether it was right to continue or to abolish it, a person was appointed to fill it. They might report, that it ought to be done away; and then the answer of course would be, "that is very inconvenient—you see it is fully occupied."

Mr. *Tierney* spoke in favour of the Bill.

Mr. *Ponsonby* considered the office of the Clerk of the Crown and Hanaper as essentially necessary to the administration of justice. The person who discharged that office, ought, he thought, to be well rewarded, and he should feel he was deficient in duty if he did not bear his testimony to the great talent and ability of the gentleman who at present held that appointment. There were appointments in many of the law courts, which he considered extremely objectionable. He should, therefore, give his support to a measure which had for its object the abolition of those which were unnecessary, and the regulation of those which were really useful. With a view of deciding upon the real merits of the Bill, he thought it ought to be permitted to go into a committee, where its faults or its advantages could be properly discussed.

A division then took place—

For the Amendment............	63
Against it	43
Majority.........	20

The Bill was consequently lost.

SUBSIDIES TO THE ALLIED POWERS.] Lord Castlereagh moved that the House should resolve itself into a Committee of Supply for the purpose of taking into consideration so much of the Message of his royal highness the Prince Regent as related to the subsidiary engagements entered into with our Allies.

Mr. *Bankes* rose to oppose the motion, but

Lord *Castlereagh* observed, that though it was no doubt competent to the hon. gentleman to object to the Speaker leaving the chair, he wished to suggest that it would be better perhaps to debate the principle in the committee, as he had some information to communicate to the House respecting the mode of executing the Treaty, which the hon. gentleman himself would perhaps wish to be in possession of.

Mr. Bankes expressed his willingness to give way.

The Speaker having left the chair,

Lord *Castlereagh* said, he felt an anxious desire to put Parliament in possession, so far as it was possible, of the extent of the charges likely to be brought on the country in the present session of Parliament, and to explain to them the general nature of the arrangements which had been entered into. He considered it a duty he owed the House to apprise them now of any other description of service or expense connected with the foreign expenditure of the country as arising out of these treaties, that he might find it his duty in the present session to bring before Parliament; and he was bound, therefore, in candour, when the House were making provision for this foreign expenditure, to inform them now of the whole extent of the service. When the other sums came to be submitted to Parliament, it would be found that they were neither a subsidy nor a gratuitous grant to another country, but a payment in consequence of an arrangement between this country and other states, equally advantageous to all parties. He should, in the present session of Parliament, and as soon as this Convention was ratified, and in a shape to be laid before Parliament, bring this matter forward. The arrangement related to the cession of the colonies of Holland to this country. From the moment that Holland returned to her ancient state, and became connected again with this country, there was nothing so little congenial to the feelings of the House as a wish to apply the rights of war rigidly to Holland, and to continue in the possession of its colonies without an equivalent; and if no arrangements could be made for such an equivalent, it would be perfectly foreign to this country to retain them. This was not, therefore, a payment on the principle of a subsidy—it was not a gratuitous grant, but an arrangement between two Crowns, in which certain colonies were ceded to this country, in consideration of our paying the half of certain charges which would otherwise have fallen on Holland alone. These colonies were materially connected with the interests of this country. They were important with a view to our possessions in the East Indies; and in Demerara, Berbice, and other Dutch settlements in the West Indies, three fourths of the whole British capital in West India colonies might be considered to be vested. It became important, therefore, to bring these colonies under the natural protection of this country. This was not a proposition connected with war, but Parliament would be called on, in the course of the present year, to contribute one million in consequence of that arrangement. That was the only part which would come into consideration in the course of the present year. There was another arrangement, which was not in the nature of a grant, of a specific sum—the interest of the loan obtained by Russia in Holland, which was applied towards the fortifications in the Low Countries. The total sum borrowed was three millions; but two millions of it only were applied to these fortifications, and one million belonged to Sweden. One hundred and fifty thousand pounds had been agreed to be paid as a consideration for that loan for a certain number of years. The object of that outlay was the rendering that part of Europe less vulnerable than it was when it was obtained possession of by the Allies. The Emperor of Russia was to be relieved of the charge of this loan, which was to be borne jointly between Great Britain and the King of the Netherlands, but only so long as the Netherlands should belong to the House of Orange. The price for the colonies could not be considered excessive; and it would not only go to create a system of fortification on that barrier, but it would make it the interest of the Emperor of Russia, as well as his duty, to prevent the Low Countries from falling into the hands of France, at least for a number of years. There was, therefore, this security for that country, in addition to the advance of Prussia to the Rhine, by which she became also interested in the safety of Holland. He had thought proper to apprise the House of these circumstances, though but a small portion of the charge would come into operation in the present year. The House would feel that they had not made greater sacrifices than the value of the colonies called for.

Mr. *Tierney* wished to ask the noble lord, what possessions Russia had in the Low Countries to give her such an interest in their safety?

Lord *Castlereagh* said, that Russia had, indeed, no possessions in the Low Countries; but the part of her debt in Holland, which was borne by Great Britain and the King of the Netherlands, was contingent on the preservation of the Low Countries to the House of Orange, as he had already stated. He would now proceed to the other points, namely, the operation of the arrangements entered into with the Allies. By treaty, the armies of the Allied Sovereigns were to amount to 150,000. But the efforts of the principal Allied Powers were not to be confined to this; and he should best consult the interests of Great Britain and the Confederacy, by stating what was the nature and description of the efforts which the Powers of Europe were making under the present circumstances. It would be taking a very unsatisfactory view indeed of the state of affairs, if we were to suppose that the Allied Powers only intended to bring into the field the number of 150,000 each, as settled by the Treaty of Vienna. As far as he was enabled to give the House information on this subject, he could state, that all the three great Powers were likely to bring into the field a very large number beyond what they were bound to by the stipulations of that Treaty. He did not mean to include those which might be cantoned in their own dominions, but such as would be in the field, and employed in the active exertions of the campaign. Taking, however, even the numbers in the Treaty, the assistance of this country could be no rational ground for the Powers to bring such a force into the field, and the subsidy could only be a secondary motive with them. But this view would be still strengthened, when the House should be informed how much their efforts went beyond the stipulated numbers.

As far as Austria was concerned, there were in full operation, ready to act and to be put in motion, an army of 150,000 in Italy, sufficient of itself to satisfy the stipulations in the Treaty. But this Power would have an army of equal extent in another quarter, towards the Rhine; so that instead of 150,000, we might consider the operating and effective army of Austria to amount to 300,000 men.

With respect to the Russian force, he had the satisfaction to state, that the Emperor had engaged in the present contest with that decision which marked the whole of his illustrious progress throughout the late eventful war, and had resolved to call out a great part of the forces of his mighty empire. General Barclay de Tolly was at the head of as fine an army as ever was called out on service in any country, having such ample means of selection in his power. The force in the ranks under him, which would arrive at the Rhine, amounted to 225,000, and as this army was accompanied by a number of volunteers, it would arrive at the Rhine as complete in numbers as when it left the Russian empire. There was assembled besides, on the frontiers, another army of 150,000 men, under general Wittgenstein; and the Emperor had signified to his royal highness the Prince Regent his readiness to put in motion this army, if exigencies should render such a measure necessary. No money that it was in our power to grant could create such an army; all that we could possibly do was to assist them in their efforts. That force of 225,000 men was very nearly advanced to the Rhine, and in such a state of military efficiency as never was exceeded by any army. If there had been some delay in the arrival of the Russian force, it was to be considered that it was drawn not only from remote quarters, but from points extremely distant from each other. If we looked to the other great power, he meant to Prussia, it would be seen, that she had as little confined herself to a cold attention to the strict letter of the stipulations. Prussia had now an army consisting of six corps, and amounting to 236,000 men.

But the House were entitled to inquire from him, and he was anxious to anticipate them in their wish for information, whether our pecuniary assistance was to be confined to the three great Powers, and whether such other Powers as might join the common cause were to share all the difficulties without receiving any extent of assistance? He thought it right that the House should know what was the extent of that description of force, and what was the value of the aid which they were likely to receive from us. Having stated the force of the great Powers, he did not wish to enter into a statement of the force of each subordinate Power. Considering Great Britain and Holland separately, he would estimate the other Powers together—some of them would bring considerable forces into the field: Bavaria, for instance, had an army of 60,000 men, of the very best description. The force which that Power, with Wirtemberg, Baden, Hesse, Saxony, the Hanse Towns, and the small states on the Rhine, would bring into the field, amounted to 150,000 men, besides what was already stated. That collective mass was independent of the force of the three great Powers, and the force of Great Britain and Holland. The British force would be 50,000 men, and the King of the Netherlands was to furnish an equal amount of 50,000 men to the Confederacy. There were actually 30,000 of them in service in the field, and the remainder of the force was in a state of preparation, and was expected to be soon ready. Taking, therefore, the whole collective force—

Austria	300,000
Russia	225,000
Prussia	236,000
States of Germany	150,000
Great Britain	50,000
Holland	50,000
	1,011,000;

it formed a total of one million and eleven thousand men exclusive of the army of the Emperor of Russia assembled on the frontiers of his dominions, and ready to act in case of exigency. He had been asked across the table, what additional subsidy was to be paid to the other states. The House were aware that we were bound to furnish 150,000 men, or to advance a subsidy to the other Powers for the numbers in which we might be deficient. If we furnished only 50,000 men, we had to pay for 100,000 men, according to the rate in the schedule of the Treaty of Chaumont. This amounted to 2,500,000*l.* We should apply that sum in aid of the confederacy, in such a manner as would be calculated to produce the most satisfaction. By distributing this sum among them, we should give for the 150,000 men of the smaller states nearly the same as was paid to the great Powers, which was 11*l.* 2*s.* a man. This, although an inconsiderable portion of the expense of bringing their troops into the field, would serve as a considerable encouragement, and would remove any feeling that some were preferred and others neglected. It might be wished, perhaps, by some, that our own genuine and national efforts should be greater in this contest; but, from the manner in which our force was at present distributed, we could not expect to bring more into the field. The country, however, was greatly a gainer, in a pecuniary point of view, by this commutation of the service. He well knew that the glory which the country derived from the creation and exertions of a gallant army was incalculable; but our army, with all its merits, was not the cheapest in Europe. It required from 60*l.* to 70*l.* to bring each British soldier into the field—so that on a principle of producing the greatest amount of exertions for the smallest sum of money, this commutation was very advantageous for us. The House would be aware that 11*l.* 2*s.* a man, which was the rate paid to the great Powers, was exceedingly moderate, compared with former subsidiary allowances. The subsidy to Sweden was calculated at 40*l.* a man. Even the subsidy of 1,800,000*l.* to Prussia, in 1794, for 60,000 men, was 30*l.* a man. In no other case was it ever so low as on the present occasion; it formed but a small proportion of the whole charge of rendering those armies moveable. Formerly we had given sums in addition to the subsidy to put the armies in movement. It was customary to give what was called a friendly 'mise en campagne' for the equipment and artillery of the armies, and afterwards to continue the subsidy. But so far from the armies being at present as it were abstract ideas of armies, they were fully equipped and in a situation to move. The right hon. gentleman (Mr. Tierney) had thought it improvident to make the provisions commence with the 1st of April. But the armies were in motion on the 1st of April. Orders were given for their march as early as the Declaration was issued, which was whenever the advance of Buonaparté was known; and they were now near the seat of war. With respect to the length of time these subsidies might continue, the Allies had a greater interest than we had in not idling or wasting their time; and therefore there was not likely to be any abuse from that source. He hoped the House felt the arrangement was as fair and reasonable as could possibly be made.

He trusted the House felt how extremely encouraging it was to see such a force as this arranged against the enemy with whom we had to contend. And though France by the Treaty which she had violated had got back many soldiers, yet her acquisitions from all her prisoners bore but a small proportion to the augmentation of force which the Confederated Powers had obtained in the interval between the cessation of the last war and the present moment. There was a very great improvement in the situation of the Allies: for formerly the very positions occupied by the French, which diminished the forces left for the defence of France, imposed at the same on the Allies a greatly-multiplied inconvenience. The French held garrisons from the Vistula throughout Germany and on the Rhine. They gave up, by the convention with the Allies, 56 fortresses, many of them most important bulwarks. In these garrisons, they had during the last war great armies distributed throughout Europe; and the resources of which the garrisons gave them the command, were greatly beyond the wants of the armies, and prevented those armies from being any burthen on France. Besides, these garrisons reduced the Allies to the necessity of detaching a much greater force for the purpose of masking them than the force which they respectively contained, that a line of communication might be kept up from the frontiers of Russia and the extremities of Austria to the French territories. He had seen supplies arrive at the Russian army, actually brought from Russia, by the communication so kept up. More than 40,000 men were employed before Dantzic; and more than double the number of the garrison of Dresden were also employed in masking and besieging it. When we compared the then situation of the Allies with what it was at present, we must see the immense augmentation which the possession of these garrisons gave to their means of carrying on foreign war. The House would not forget, also, that on the very frontiers of France we had four of the strongest places in our hands, whence in advance we could draw strength, or in retreat could secure our safety. Were the fortresses of Luxemburg and of Mayence of no value? Was the restoration of that chain of fortifications, destroyed by an infatuated Prince, along the Belgian frontier, of no importance? He had the satisfaction to state to the House, that many of the chief places in that part of the Netherlands were now in a state that would enable them to make a vigorous and regular defence. Behind these we possessed Antwerp, Bergen-op-Zoom, Breda, and Maestricht—powerful in aiding success, and most advantageous in redressing calamity. He had therefore a right to say, that though Providence alone could prevent reverses, we had not only a just cause of war, but means worthy of such a cause. The military force of all the rest of Europe was combined against the half of France, which could look alone to the Allies for ultimate liberty and happiness. The noble lord admitted, that it would be most unjust and unnatural that all our Allies should be provided from the resources of Great Britain, but such a statement would be in opposition to the fact; other countries were making parallel exertions, and we were contributing only in our fair, wholesome proportion. Under these circumstances, without detaining the House further, he should only think it necessary simply to move the Resolution for granting a sum of five millions to be distributed between the three great military Powers he had named. On a future occasion the House would be called upon to provide Ways and Means for raising this sum. The noble lord concluded by moving,

"That it is the opinion of this Committee, That a sum not exceeding five millions be granted to his Majesty, to make good the engagements which his Majesty has entered into with the Emperor of Austria, the Emperor of Russia, and the King of Prussia."

Mr. *Tierney* asked for some information respecting Denmark.

Lord *Castlereagh* said, that he wished now to avoid entering into particulars with regard to the minor Powers.

Mr. *Tierney* wished to know what part Spain was to take?

Lord *Castlereagh* answered, that Spain had signified her acquiescence in the Treaty; but to what extent she would engage in the war, he was not able to state.

Mr. *Tierney* inquired whether any part of the disposable sum of two millions and a half was to be given to Portugal, and, if so, for what purpose?

Lord *Castlereagh* was not able to state the arrangements with all the minor Powers who would, during the contest, come into the field.

Mr. *Tierney* thought that, in point of candour, the noble lord was called upon to give the House some information respecting all the subsidies for which Parliament would be called upon to provide. He had not stated whether any, and what sums Sweden or Portugal were to obtain. At least he could enable the House to form a wide guess at the amount.

Lord *Castlereagh* was not empowered to give any specific answer, by stating what share they would take in the general disposition. Whether Sweden or Portugal would be subsidized at all, he was not able to state.

Mr. *Tierney* requested to be informed whether any great addition was likely to be made to the disposable sum of two and a half millions, by subsidies to minor Powers?

Lord *Castlereagh* felt every disposition to satisfy the curiosity of the right hon. member, but he declined pledging Government to any principle of policy that might hereafter be found injurious.

Mr. *Whitbread* understood the noble lord to have stated distinctly that Sweden and Portugal were acceding parties to the Treaty: he wished to know in what proportion they were to furnish a contingent, so as to unite the whole of Europe, in the words of the noble lord, against half of France. Was Denmark also an acceding party to the Treaty?

Lord *Castlereagh* added, that he had received the most unqualified assurances from them, and they had signed the Declaration of the 13th of March. He was not prepared to state what force Sweden would put in motion; he apprehended she could not now receive from us the aid she had obtained in the last war, and without it he doubted whether she could provide a large contingent. If the hon. member meant to intimate that there was any doubt of the part Sweden would adopt, his lordship begged to state that he had no more hesitation as to the line of politics she would pursue than he had with regard to Austria, or any of the other Powers.

Mr. *Bankes* admitted that we had a just ground of war, but he doubted the expediency of insisting upon it in the mode recommended. As the cause was common, and all the Powers had the same interest in its success, in his opinion all ought to be upon a perfect equality; and although he concurred in the Address of yesterday, it did not necessarily, as the noble lord had observed, pledge his opinion as to the propriety of voting the subsidies now demanded. His chief objection was, that though our Allies were to be equally benefitted, the principal burthen fell upon England only, and the system of subsidy of late years had been carried to an extent severely felt by the nation. It appeared by documents upon the table, that since the year 1793, Great Britain had expended in subsidies to foreign states 46 millions, not including many other sums advanced under other names. Of these 46 millions 26,600,000*l.* had been voted by Parliament within the last three years, besides an immense quantity of clothing and arms supplied to the minor Powers, and arms and money to Holland.

Lord *Castlereagh* observed, that Holland had only received arms and stores, but no money.

Mr. *Bankes* continued. He said he was decidedly hostile to any exertions or sacrifices on the part of this country, that exceeded those of our Allies, more especially in the present state of our finances: though he did not despond, it was fit to look our affairs in the face, and we should then find, that though our revenue had augmented, our expenditure had increased in more than a double proportion. Our revenue in 1812 was 63 millions, and in 1814, 72 millions, being an addition of nine millions. What was our disbursement? In 1812 it was 97 millions, and in 1814 117 millions, an increase of 20 millions within the last three years. This was by no means a cheering prospect, at the moment we were voting five millions to our Allies for a new war, besides what we should be compelled ourselves to expend. It was true that we could not provide 150,000 men; but were it in our power, though it might drain our population, it would not drain the radical resources and wealth of the country. The noble lord, and with him the other side of the House, seemed to make up their minds only to one alternative, viz. that the war would be short. It might be so, but it would be fit to provide for its prolongation; and although he might consent to vote five millions if it were to be "the be-all, and the end-all," it ought not to be forgotten that that sum and more would be required every year that hostilities were continued. The money could only be raised by loans, which depressed all commodities of sale, and raised all those of purchase. If, from the long struggle she had maintained, England was not able to join with equal vigour in this new contest, why was it not fairly stated? and if her inability had the effect of deterring her Allies, who professed to be so hearty in the cause, we might be sure that their spirit, even with her aid, would scarcely be equal to the contest. Would they not fight with such assistance as our means fairly viewed would afford? and if so, why did we volunteer the squandering of our money when we could so ill afford it? Contemplating the comparative dangers of peace or war, he confessed that his fears of the former were not by any means so great as those of the noble lord, though he was by no means desponding as to the result of renewed hostilities. If the Allies had turned their mind to security, he thought they might have obtained that end without making war upon Buonaparté. A treaty with him now would be much safer than at the time when terms were offered to him at Chatillon. He was weaker in a military point of view, and there had been an interruption in his title, which, by making him insecure at home, would render him unable to engage in attacks on other Powers. The French, too, were now, it was said, divided; but foreign invasion would unite them, and increase his power, by making it necessary to give Buonaparté such influence as would enable him to direct their forces effectually. He did not think, also, that the chances of success against France were very great. However great the force brought against France might be, that nation would, when firmly united, baffle all attempts of foreign invaders. It was said, that only one half of the population of France was in favour of Buonaparté. If the other half would rise against him, there would then be hopes of success; but if invasion, as he thought it would, united all France, his power would be strengthened by it. All alliances, also, contained within themselves a principle of dissolution; neither were we to believe that our present Allies were elevated far above their predecessors. If we have now the magnanimous Alexander, we had formerly the magnanimous Paul. The King's speeches for the last 20 years have been full of praises of Allies, who have afterwards deserted us. In one of those speeches we were told to look at the wisdom, the vigour, and the magnanimity of our great Ally. And who was this?—The Ottoman Porte. In 1799, the King's speech was full of praises of the decision, the magnanimity, and the abilities of the emperor Paul; and before the end of 1800, complaints were made to Parliament, by the Crown, of the unjust detention of British goods at Petersburgh, and the imprisonment of British subjects there. Our system should be to husband our resources, and not lavish them on Allies, on whose adherence to us we could never depend. The sum, too, which was demanded was larger than that which had ever been granted to the three Continental Powers in one year. Even in the last year, the sum granted, according to one of the papers, was less than five millions, though, according to another account, it was something more. He would not consent to act on the idea, that the resources of this country were inexhaustible, that we were to pay the whole expense of the war; and he thought it also unadvisable to pay a subsidy, which, if the war continued long, (and there was every probability that it would) we should be obliged to withdraw, and thus give a ground of offence to our Allies, who were unacquainted with our real situation. Though the danger of peace was great, and the causes of war just, he did not think that there was any impossibility of continuing at peace with Buonaparté, if the Allies had chosen to treat with him. He should not divide the committee himself; but if any other gentleman chose to divide it, he should certainly vote against the motion of the noble lord.

Mr. *Baring* said, he was at a loss to know how the hon. gentleman who spoke last, reconciled his speech of that evening with his vote the night before. The question had been, whether they should interfere to put down a military system in France; but when a vote had been given in favour of an attack on France, it was the duty of the House to provide the means of carrying on that attack in the most efficient manner. He was not over-sanguine in his hopes, but he thought there was a fair prospect of success. It was, however, to be recollected that, half a century ago, Frederick of Prussia, by the superior power of his mind, supported himself against all the great nations of Europe, although there was nothing of that enthusiasm in his people which constituted the great strength of the French at this moment. He was convinced, however, that it was impossible to remain at peace; and he therefore thought it better to attack France unprepared, while our alliance was firm, than to wait till France was prepared, and our alliance was dissolved. Still less should he hesitate on the second question, of granting a subsidy to the other Powers of Europe. Setting aside the subsidy which we might grant, we should be a very inconsiderable state in the alliance. The whole of the force we had in the field was 50,000 men, which was not greater than that of Bavaria. It was necessary to contribute a fair share, which we could best do in money. A sum of five millions, too, would be of immense service to put the large armies of the continent in motion; for though the Allied Powers were immensely strong within their frontiers, the state of their finances, and the paper currency of several of those states, rendered it a matter of great difficulty to move even small armies beyond their frontier. One circumstance not so satisfactory was, that the whole of the subsidy was paid by this country, and that none of the other commercial countries, especially Holland and Portugal, had contributed. Holland had formerly borne a large share in the expenses of the alliance against Louis 14, and was now very well able to come forward with a considerable subsidy. Her contingent at present was small, considering that she was the most in danger from the military power of France. The prince of Orange had been enabled to relieve the Dutch from a part of their burthens, while the burthen of this country had been progressively increasing. Portugal, too, in gratitude for her deliverance, should contribute to the ends of the alliance. As to Spain, he thought any direct efforts on her part could only be productive of evil. No army which she could send into France would be strong enough to occupy the gendarmérie, much less the national guards, and would merely rouse a warlike population in favour of Buonaparté. There were other arrangements which were not brought in a definitive shape before the House, which he could not exactly approve of. These were the grant of sums to Holland for the repair of her fortresses, which she herself was well able to provide for; and a grant of money to Russia, to pay her for the colonies we might receive from Holland, which seemed a most fantastical and incomprehensible plan. These measures would be better discussed when the treaties, in which they were arranged, came before the House; but as to the general measure of subsidy, he fully approved of it.

Mr. *Bennet* condemned the policy of granting subsidies to continental nations to enter into wars foreign to their interests—and this, too, at a time when the situation of our finances was such, that if the war continued long, the stock-holders could not receive their dividends. It was the duty of the Chancellor of the Exquer, before the House was called on to vote such enormous subsidies, to show what the state of our finances really was, and what would be the consequence of a long contest. He admitted, that if by a short effort those paragons of justice and policy, which were to transfer the theatre of their operations from Vienna to Paris, succeeded in speedily re-instating the Bourbons, the finances of the country might still be supported; but it was not by a peace establishment of 19 millions a year that they could in that event be preserved. The object of the war was to re-establish a family which had shown the greatest enmity to freedom in every country where it had been established—in Spain, in France, and the two Sicilies. The conduct of one branch of that family in Spain had produced in the minds of the people of France, the most disadvantageous impression towards the dynasty in general, and had contributed more perhaps than the Congress itself, to the deposition of Louis 18. He observed how different the state of feeling in Europe must be at the present moment, since the Allied Powers had shown what was their own construction of the declarations which they had issued in favour of the independence of nations. The proclamations at Dresden and other places, to suppress the manifestation of public indignation against the Allies, were indications of the kind of spirit with which the people of Europe received them. As he did not think the war just, nor that the resources of the country would be sufficient to maintain the contest into which we had been plunged, he should vote against the grant.

Mr. *Douglas* urged the necessity of going to war with Buonaparté. When it was said, that he had been reformed by misfortune, and that he might be restrained by the circumstances of the present times, he wished that the House would consider his conduct at the moment of his landing in France. Then he stood naked and undisguised, and avowed in his proclamations views that he had since thought politic to conceal. After going into the general question at pretty considerable length, he concluded by saying, that, in his opinion, the tranquillity of Europe could only be settled by the extermination of the military despotism now existing in France. He concluded by saying that he should certainly vote for the motion.

Mr. *Whitbread* said, that although he had intended to offer some observations to the House yesterday, yet he should not now follow the example which the hon. gentleman had set him, of repeating the speech that he intended to have spoken the day before. The question now before the House was for granting a sum in the way of subsidy, for the purpose of carrying on the war, into which ministers appeared determined to rush. He was surprised that the hon. gentleman (Mr. Bankes) who voted for the war, should now vote against the subsidies necessary for carrying it on. It appeared to him, that the sum of five millions, mentioned by the noble lord, was a very moderate sum indeed, for an undertaking so great. As to the merits of the war, his opinion upon the subject was already sufficiently known. It was therefore unnecessary for him, on this occasion, to argue against it. He disapproved of it most strongly, and the more so, because it was his decided judgment that the object was not so much to remove Buonaparté as to restore the Bourbons—as the object of it qualified was to dictate a government to France. But it was probably apprehended by those who endeavoured to disguise this object, that if it were distinctly avowed, this country would shrink from the undertaking. It seemed, however, if the statement of the noble lord were correct, that this undertaking was to be commenced with no less than 1,011,000 men. What a force! and yet the distinguished orator (Mr. Grattan) who had last night unshrouded the meridian blaze of his eloquence, had only collected 600,000 men against France; but the towering imagination of that right hon. gentleman was quite overtopped—and who would have thought it—by the noble Secretary for foreign affairs. The right hon. gentleman had, however, extinguished the money, the credit, and the cavalry of France at one dash—and there he exceeded the noble lord. The object of the proposed subsidy was, it was said, to enable the confederates to make a great, a sudden, and a decisive effort. But how came this sudden effort to have been so long postponed? Two months had already elapsed since the return of Buonaparté, and yet, according to a gentleman on the other side, two months more must elapse before this sudden effort could take place. It was to be recollected, that all the force about to act against the French must be supplied with means by this country; for Austria, Russia, and Prussia, had neither money nor credit. This supply, too, must not only be furnished at present, but as long as the war continued—and how long it might continue, no one could say! He was aware that ministers held out an expectation that the war would speedily terminate. Indeed, this prospect had been distinctly presented by the Chancellor of the Exchequer and others—no doubt with a view to reconcile Parliament and the country to the insane project in which we were about to engage. Yes; insane he would call it, especially as to the calculation upon its speedy conclusion; for, supposing Buonaparté were actually destroyed at the outset, who could say that his destruction would tend to put an end to the war? who could say that the French armies or the French people would therefore submit to the dominion of the Bourbons, or to the dictation of foreign government? that all the enthusiasm and energy of the French nation would immediately disappear? Such a hope could not be rationally entertained; and would it not, then, be wise rather to look for security from an armed confederacy, than resort to actual war? The boast of the noble lord as to the power of the Confederacy formed at Chaumont, must have been quite vain, if a similar confederacy would not now produce a sufficient security against Buonaparté, without plunging into the calamities of war. Why, then, have recourse to war, the duration or end of which no one could foresee? It was impossible, indeed, that any one, that the noble lord himself, could look for the termination of the war within the year, as some sanguine persons seemed disposed to expect. Yet the committee were now called upon to grant a large sum of money to those persons upon whom so much of our money had already been squandered—each of whom had, on former occasions, accepted our subsidies, and deserted us immediately after. Such had been the conduct of Prussia in 1794: the conduct of Austria and Russia towards us was quite notorious. But the noble lord seemed to think, that he had hit upon a notable expedient with regard to Russia, upon the subject of the Dutch loan; which expedient was, truly, to ensure the steady co-operation of Russia, in securing the possession of Belgium to Holland. From that expedient, however, he (Mr. W.) could expect no such result: so far from securing the adherence of Russia, that Power must laugh at those who entertained the calculation. But it would not be amiss to call the nature of the Dutch loan to the recollection of the committee. The Empress Catharine borrowed a certain sum of money in Holland, with a view to provide for the invasion of Turkey. With a part of which loan she contrived to take possession of Oczakow—of that very Oczakow, to recover which the warlike genius of Mr. Pitt, upon whose principles the noble lord professed to act, would have involved this country in hostilities—and with the remainder of this loan Catharine invaded Poland, and committed that spoliation which all great and good men throughout the world had unanimously and unequivocally reprobated. Yet England had now undertaken to pay a part of that loan. Yes, in this day of morality, when we were about to wage war in order to put down that arch fiend of Europe, Buonaparté, this country undertook to pay a debt contracted by Russia for such an abominable purpose as the dismemberment of Poland! Let gentlemen combine these facts, which could not be denied, with the conduct of Austria, which had never paid the loan she had obtained from this country, and ask themselves whether they could consistently grant the proposed subsidy to such Powers? whether they could safely rely upon their adherence, or upon the faithful performance of their engagements? These Powers had deserted us already—they would desert us again if it suited their interest, and it was probable, also, that they would desert each other—that they would split upon their own views of aggrandizement. This, indeed, was naturally to be expected from their conduct at the Congress of Vienna, where each of those Powers sought his own views with the utmost rapacity. And let the committee look at the effects of that rapacity. Those Powers had, by their conduct towards Saxony, discarded the wishes, and alienated the affections of the Saxon people. This effect was but too glaring in the transaction which had recently led to the execution of 37 unfortunate Saxon soldiers, and the dismissal of 1,500, who were sent home to Saxony from the Prussian army in such a manner as to prevent them from influencing the opinion of the German people, and especially of their countrymen as they passed. But the opinion of these people was known, and the opinion of all mankind had been outraged by the conduct of the Powers by whom they and their Sovereign had been so grossly treated, with the consent of that boasted punisher of ancient dynasties, the noble Secretary for Foreign Affairs. The hon. member concluded with expressing his resolution to vote against the grant of any British money to such Powers.

Mr. *Bankes,* in explanation, said, that although he thought the war necessary, yet considering the situation of our finances, he thought that all the confederated Powers should make what exertions they could from their own resources.

Mr. *C. Grant* junr. denied that the restoration of the Bourbons was the object of the war, and asserted, that that principle was totally contradicted in every Treaty before the House. He begged the hon. gentleman, who had dwelt so much upon the twenty-six millions of subsidy granted to foreign Powers during the last war, to recollect also the triumphant effect to which that subsidy led; and, recollecting that effect, he trusted the committee would not hesitate to grant a subsidy, which promised to lead to a result still more triumphant and decisive. The hon. gentleman sat down amidst a loud cry of 'Question, question!'

Sir *John Newport* said, that however disagreeable it might be for gentlemen to hear any discussion on the question, who not having known a word about it, came now to decide it, still they must submit to the privation it imposed, and bear the irksomeness of listening to the debate. On the former night, the brilliant oratory of his right hon friend (Mr. Grattan), who on that occasion displayed himself in the meridian lustre of his transcendent genius —who manifested the same glow of fancy, the same creative imagination, which distinguished him on every question which he undertook to illuminate—that oratory had prevented him from venturing to occupy the time of the House; but he would now venture to express his decided disapprobation of the general principle of the war. The interference of foreign nations in the internal government of another country, was not reconcilable to any principle of equity. How would England have received the declaration of Louis 14, if he had presumed to prohibit them from choosing William 3, at the same time declaring that there was no intention of forcing James 2 on their throne? This would not be dictation, according to the opinion of certain gentlemen, because only one was excluded; but our ancestors showed their indignation at even this negative mandate, for they termed it an insolent attempt to appoint their Government. As to the object of the war, he believed it was the restoration of the Bourbons. If not, why was Louis 18 asked to accede to the Treaty, and why was he required to appoint his contingent of troops to the grand Alliance? This was a manifestation of the principle that actuated their conduct. He agreed with the hon. member (Mr. Bankes), that if the Allied Powers meant to unite in one common effort against the individual at the head of the French government, they ought to fight with their own resources, and had no right to call on us for additional burthens. Having divided against the war, he should certainly divide against the subsidy for carrying it on. Of this he was persuaded, that when gentlemen proposed to levy war against the military power of France, they were taking the most effectual means of making the French an armed people, capable of destroying the independence and tranquillity of Europe. The personal character of Buonaparté should not, he said, preclude us from attempting to secure a peace with France, and we had no right to force the Bourbons upon the French, contrary to their wishes.

Mr. *Stuart Wortley* could not avoid expressing his surprise at the comparison which the right hon. baronet—a Whig—had made between the landing of William 3 in this country, and the landing of Buonaparté in France—two cases the most dissimilar that could be imagined. William 3 was invited to the throne by the people of England. No treaty existed between him and Louis 14, similar to that which Buonaparté had entered into with the Allies—no treaty subsisted between him and the inhabitants of England, like that which, by implication, Buonaparte had contracted with the people of France. In conclusion, the hon. gentleman stated his determination to vote for the subsidies, without which no efficient exertion could be made against the common enemy.

Mr. *William Smith* was of opinion, that if the hopes of an efficient co-operation against France depended on our readiness to pay the stipulated subsidies, then the hopes of a successful result were very slender indeed. The only true foundation of success could be looked for in the ability and determination of the respective Sovereigns to pay their own armies, and in the spirit of their people to prosecute the war. If the Allied Sovereigns were influenced in their proceedings by the prospect of procuring subsidies from this country, the moment we ceased to pay those subsidies, that moment, perhaps, they would cease to fight. He had one other observation to make. After an arduous struggle, the Allies had completely beaten Buonaparté—they had got him within their power—they had almost incarcerated him—still, however, he had contrived to escape: and, he should be glad to know, what security they were to have, if he were again discomfited, that he would not afterwards disturb the peace of Europe.

Mr. *Peter Moore* did not doubt that we were able to pay the subsidies; but he thought, before the committee agreed to the vote, that the Chancellor of the Exchequer ought to stand forward, and state explicitly the situation of the finances of the country. In the name of his constituents, he protested against this war, which would cover the national character with disgrace, and plunge them and their families in poverty and ruin.

The Committee then divided:

For the motion	160
Against it	17
Majority	143

The House resumed, and the report was ordered to be received on Tuesday.

HOUSE OF COMMONS.

Tuesday, May 30.

Roman Catholic Question.] Sir Henry Parnell observed, that he held in his hand a Petition, signed by 6,000 persons from his Majesty's Roman Catholic subjects in York, Birmingham, Norwich, &c. praying for an unqualified emancipation from all civil and military disqualifications which at present oppress them. He thought it unnecessary to speak to the general principle of the Petition, as it would necessarily be involved in the motion he would subsequently submit to the House. He then moved that the Petition be laid on the table, which was ordered.

The hon. baronet then moved, "That the several entries in the Journals of this House, of the 22d day of June 1812, and of the 25th day of February, and the 2d day of March 1813, of the proceedings of the House in relation to his Majesty's Roman Catholic subjects in Great Britain and Ireland, might be read;" and the same being read,

Sir *Henry Parnell* rose and addressed the House as follows:—Mr. Speaker; I have requested that the clerk might read from the Journals, the Resolutions we have just heard, in order to bring under the view of the House the progress that has been made towards the entire repeal of the penal laws which aggrieve his Majesty's Roman Catholic subjects. The last Parliament declared the expediency of taking these laws into consideration; and the present one has expressed, on three several divisions, that it is advisable to remove the civil and military disqualifications under which the Catholics labour. I may, therefore, say the principle of a legislative measure for effecting this removal is absolutely carried; and that all that remains for us now to discuss and consider is, the plan and regulations by which this principle may be called forth into active operation. This being the case, it is not necessary for me, in order to induce the House to accede to the motion I shall propose to it, to resolve itself into a committee, to occupy any of its time in referring to those great principles of constitutional right and political expepediency which have been so frequently, so eloquently, and so successfully enforced on many former occasions, by my right hon. friend (Mr. Grattan). He has, in fact, virtually carried this question; to him is due all the merit of having been the first in the Irish House of Commons, and the first in this, to obtain a vote for the repeal of the whole Catholic penal code; to him every Catholic will yet have to look up as their great deliverer from the most intense system of persecution that ever disgraced a government or aggrieved a people; whatever may remain to be done to raise the various parts of the building of which he has laid the foundation, must, in the common course of events, soon be completed, though impediments may check their progress, and less skilful hands may be employed to construct them.

The same reason which renders it unnecessary for me to refer to the great principles of right and expediency, renders it also unnecessary for me to notice, in the smallest degree, that maze of argument which has so often been so largely doled out from the inexhaustible source of bulls and canons; or to stop to consider that other description of adverse argument, which has been founded on the Bill of Rights and the Act of Settlement; for both these classes of objections have been fully and finally answered by the vote of the House, declaring it to be advisable to remove all civil and military disqualifications. The question that we have to discuss and decide upon, is reduced, in fact, to a very narrow compass. The obstacle to its success is readily to be learnt from the fate of the Bill of my right hon. friend (Mr. Grattan) in the session of 1813. For although, correctly speaking, that Bill was lost by a majority voting against the clause enabling Catholics to sit in parliament, every one will admit, the circumstance which gave success to the opposition to that clause, was the hostility the Catholics had previously manifested against those regulations of the Bill, which related to the future appointments of Catholic bishops. Every one who takes a dispassionate view of the present state of the question, will agree with me in saying, that the only obstacle which now exists in the way of the emancipation of the Catholics, is the claim to give the Crown a control over the future appointment of the bishops, as the condition of conceding this measure, which has been set up on one side, and is objected to on the other. If either party were to give way, no one, I think, can deny the whole contest would be at an end, and the emancipation would be the immediate result. The true question, then, at issue is, is there any just cause or real necessity for this control? if there is, the Catholics are wrong in refusing to consent to it; but if there is not, then the fault rests on them who persevere in requiring it. This, Sir, I beg the House will observe, is the first opportunity it has yet had of fairly and fully examining this question. It has certainly often come before it incidentally; but never without being embarrassed by the whole mass of conflicting argument which belongs to the general question of emancipation. Let me also beg the House will observe, that no member has yet explained in what way the removal of all civil and military disqualifications will contribute to endanger the Protestant establishments. This task it is the duty of those members to perform, who say, they will not vote for the removal of them, without giving the Crown a control over the appointment of the bishops; it is their business to point out in clear and distinct terms, so that every ordinary understanding may comprehend them, how the danger is to arise, whence it is to come, how to operate to weaken the Protestant settlement in Church and State; for all policy is extremely suspicious, that sacrifices any part of the people to the ideal good of the whole community. So far as the Catholic bishops are concerned, no guilt is imputed to them; their conduct in the rebellions of 1715, 1745, and 1798, and their established character for prudence, place them beyond all suspicion. In regard to the Catholic laity, what danger can be expected from them can be judged of by the probable effect of complete emancipation. What can be its certain and practical effect on the Catholic body at large, but universal content and unqualified gratitude to the Legislature that grants it? This must be, according to every principle of human nature, and according to what experience teaches us, the immediate effect of the repeal of the penal code. How, then, I ask, is the supposed consequence to arise from it, of danger to the establishments? If this cannot be made out, then there exists no foundation for the claim of control over the Catholic bishops —and certainly till it is fully proved, there is no just ground for finding fault with the Catholics for repugnance on their part to concede it.

In regard to the influence now enjoyed by the Pope over the church of Ireland, if this were fully examined into and accurately understood, it would, I think, appear that no great degree of danger can justly be apprehended from that quarter. The House is not aware that the Catholic church of Ireland is a very independent church of the see of Rome; that it possesses almost every power within itself that is necessary for its administration and perpetuation. In what degree the interference of the Pope is admitted may be explained very shortly: First, in respect to marriage, he has the power of dispensing with the prohibited degrees of marriage:—Secondly, in cases of disputes amongst the clergy, upon points of duty, precedence, &c. he decides on appeals in case the domestic courts of appeal cannot settle them:—Thirdly, he confers canonical institution on bishops. In regard to the two first cases, I shall make no observations upon them, because they have fallen into disuse, but proceed at once to explain the nature of the last. In fact and practice the Irish bishops and clergy fill up every vacancy of a see. The clergy of the diocese recommend a fit person to the bishops of the province: the bishops install and consecrate him. The elected bishop writes a letter of communion to the Pope, signifying that he is in communion with the other bishops of the Catholic church, and the Pope, upon this, sends him the pall, being the sign and form of canonical institution to the see. But the elected bishop is a good bishop, and acts as such for every ecclesiastical purpose, except that of giving holy orders, even before he receives the pall. If the Pope refuses to give the pall to the elected bishop, another and another is elected till the Pope thinks proper to give it; but, in point of fact, he uniformly gives it to the first that is elected.

According to this statement it will appear, that all essential power of appointing bishops is in the hands of the Irish Clergy—that the Pope only confirms the acts of others; and that if he wished to interfere to carry any appointment merely his own, he would have to contend with all the prejudices and all the interests of the Irish Catholic Church. But little as this influence of the Pope's always has been, it has daily become less and less, while we have been occupied in forming apprehensions of the danger of it, by the successful efforts of the Irish Priests, to restore the right of the Dean and Chapter to elect to vacant sees. On this head considerable progress has been made, and thus the measure of domestic nomination, one proposed plan of security, has been silently and rapidly advanced. This influence must also appear to many much less formidable than it did some years ago, when in the celebrated letter of lord Grenville on the Veto, the whole danger was made to exist, upon the person of the Pope being in the power of Buonaparté. All these several circumstances, when minutely looked into and duly considered, must contribute, at least, to allay much of the apprehension that has prevailed in regard to the Pope, if not to remove it altogether. So will also the inquiring into the probable effects of emancipation on the Catholic laity, and into the past conduct of the Catholic bishops and clergy.

I think, Sir, on the whole, I may safely say, the more this question of a control over the Catholic bishops is examined, the more evident it will appear, that it is somewhat unreasonable to keep the whole Catholic body excluded from the full enjoyment of equal laws, because they think that no such control is necessary. I think, also, that I may safely say, that it is even still more unreasonable, not only to continue this exclusion, but to be angry with the Catholics for asking it without conditions, because the necessity of this control should be certainly proved before any offence can justly be taken with them—and I think I may further say, that as the question at present stands, between those who claim the control, and those who are unwilling to agree to it, both justice and expediency require the claim should be abandoned altogether. Feeling, Sir, the great and only obstacle in the way of the success of my motion to be the very prevalent opinion that arrangements for giving this control to the Crown should be required as an indisputable condition for giving the constitution to the Catholics, I have endeavoured to obtain a re-consideration, by what I have said, of the grounds on which that opinion is formed, with the confident hope, that, if even I may fail in bringing others to think as I do on the subject, I may contribute to induce them to require no such plan of arrangements as shall arouse the jealousy and alarm the religious scruples of the Catholics; my great and only object being, in all I have advanced, to do every thing that lies in my power to produce an approximation of feeling, and to lead to the mutual conciliation of those who now so ardently press arrangements, and those who are so equally warm in refusing to grant them.

If, Sir, the House shall think proper to adopt my motion for going into a committee, I shall move in it those resolutions which I communicated to the House on a recent occasion. I feel great pleasure in being able to say, that I have received very strong testimony of the utility of making those resolutions public. I learn from Ireland, that some very learned Protestants say, they are simple, temperate and practicable—and that others more violent admit they remove much objection to the measure of Emancipation, by showing that the Catholics do not seek any provision for endowing the Catholic clergy with tythes, giving them a permanent establishment for building chapels. I am told by Catholics of this country, that the publication of them has been of the greatest service to their cause; and they certainly are the best opinion, as being the best judges of their own interests. I trust also, that some members of this House, who have called for a distinct and final statement of what it is the Catholics solicit, will acknowledge that I have acted right in complying with their wishes. The model on which these resolutions have been framed, is the Irish Act of 1793. There is nothing in them either of claim or of expression, which may not be supported on that precedent.

The House having already voted the principle of the expediency of removing all disqualifications, it is unnecessary to call upon it to vote that principle again, and therefore the resolutions have been framed, so as to bring under the consideration of the House the several matters of detail which are wanting to give that principle full effect. Of the eight Resolutions, three are calculated for reinstating the Catholics in the rights justly and naturally appertaining to free subjects; and five are framed for removing specified hardships respecting the Catholic clergy—schools, education, marriages, and worship. The first provides that Catholics may hold, acquire, and dispose of property, landed and personal, as freely as Protestants. The law now prescribes as a precedent condition, that they shall publicly, in open court, take and read aloud, and solemnly subscribe the oaths and declarations of 1774 and 1793, and obtain a certificate of their qualification, and be obliged at all times to preserve and produce such certificate as their protection. If a Catholic shall happen to neglect (through ignorance, inadvertence, or infirmity) to perform this condition, all his landed property, beyond farms of thirty-one years, and held at rents not less than two-thirds of the full yearly value, is liable to be confiscated at the suit of what is called a Protestant Discoverer, under the Act of Anne. A suit of this sort took place not many years ago, by which an attempt was made to set aside a will of a surgeon M'Evoy, by one of his brothers, who conformed for that purpose. The second Resolution places Catholics upon an equal footing with their fellow-subjects, respecting the elective franchise. By the present law, English Catholics cannot vote for members of Parliament; but Irish Catholics may do so upon condition of taking the oaths of 1774 and 1793. Now, the elective franchise, being a right appendant to the enjoyment of freehold property, ought to pass freely with the property. The eighth Resolution gives admission to Catholics to Parliament and to all offices of trust, honour, or profit, in the service of their country. Its effect, if passed into a law, will be that of restoring religious freedom in principle and practice to the Catholic people of the British empire. The rights sought by these three Resolutions stand upon the broad principle of equal benefits, equal duties, and equal protection for all subjects, the true principle of the British constitution; and this principle must be infringed if any office under the Crown be accessible to one class, and inaccessible to the other, or if any condition of a civil nature be imposed upon the one, which is not imposed upon the other—or if any religious test, incompatible with private conscience, is imposed upon either. The remaining five resolutions relate wholly to freedom and security of worship, protection of the clergy, forms of marriage, facilities of education, and the like objects, to which even the most fierce opponents of the civil rights of the Catholics may safely accede. In respect to the Resolution for securing to soldiers their own worship, I have received a paper this morning that will serve to show how necessary it is to make some legal provision on this head. It was posted upon a Catholic chapel in Cork last Sunday se'nnight. It mentions a case of a soldier of the city of Cork militia having been forced to go to the Established Church, and goes directly to stop all recruiting. This document proves the General Order of the Duke of York to be, as I have before in this place said it would prove, wholly insufficient—and that, if you mean to recruit your army in Ireland, you must pass a law on the subject.

I think I have a right to say that my motion ought to be acceded to for going into a committee, if it was only in order to pass such a law. I also feel that I have a right to expect the votes of many distinguished members; of you, Sir, even if you should become capable of voting, from the admissions that were made in the debates of the session of 1813; for of all that is asked in the Resolutions I have to propose, the whole has been conceded as fit to be given, except seats in Parliament, and a few of the very highest offices in the state. It will, I know, be objected to these Resolutions, that they contain no provision for what is called Protestant securities. This is very true; but although they contain no such provision, if they are adopted and passed into a law, it will be a law confirming the very best possible security to the Protestant establishments; the British connexion and the British constitution: because it will give the most complete satisfaction to the Catholics, draw forth the most enthusiastic gratitude, and rivet their affections for ever to the prosperity and preservation of the British empire. This will be the certain consequence of unqualified emancipation; why, then, risk the unmeasurable value of such an acquisition, by bartering about ecclesiastical arrangements? If in proportion that you gain control over the appointment of the bishops, you diminish the value of the boon of emancipation, you do the state no good by granting it—and, if you hazard the whole value of the boon by seeking this contest, you may actually do it harm; when a sound policy would secure the greatest prize this empire could now receive, the real union of its whole people. I shall now conclude by moving,

"That this House will resolve itself into a committee of the whole House, to take into its consideration the state of the laws affecting his Majesty's Roman Catholic subjects."

Sir *J. C. Hippisley* said, that he could not reconcile himself to a silent vote on the present occasion, having long exercised all the best faculties of his mind in the consideration of the general subject with which the motion of the hon. baronet was so intimately connected. He regretted he had not been in his place when the Petition, stated to be that of the English Catholics, was presented, as he should certainly have called the attention of the House to it; and, indeed, he was satisfied, that there were scarcely two names of English Catholics of weight and consideration in the country to be found among the signatures. As to unqualified concession, such as was contended for in all the petitions which had been presented on the same subject during the present session, his views of the question had ever been opposed to it. Restrictions operating against the encroachment of a foreign jurisdiction, such for instance, as the Roman *curia*, were consistent with the soundest and most equitable policy. We had only to look to the pages of history—to the municipal regulations of every state where they could be found judiciously interwoven with their civil and ecclesiastical jurisprudence. In the important document under the signature of a great ecclesiastical functionary of the See of Rome, and which had been laid on the table of the House—the Letter of Monsignor Quarantotti*—this principle

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* Translation of a Letter from Monsignor Quarantotti, to the Right Reverend Dr. Poynter, V. A.

"Most Illustrious and Right Reverend Lord;

"With great pleasure we have learned, that a Bill, for the emancipation of the was admitted as a rational object to be contended for;—at that period, namely, in the absence of the present Pope, that prelate was invested with all the authority of the Ecclesiastical Government, and before issuing that rescript he had called to

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* Catholics of your flourishing kingdom from penal laws, which was proposed in the last year, and lost by a small minority, may probably be again presented in this session of Parliament. It is our ardent wish, that this Act, so much desired, may at length be passed; and that the Catholics, who have ever given such distinguished proofs of their obedience and fidelity, may at length be delivered from the heavy yoke by which they have so long been oppressed; and that, without any detriment to their honours or estates, they may give full scope to those exertions, which both religion and the good of their country require of them. And this may be surely expected from your most beneficent Sovereign, and from that illustrious nation, which, on former occasions, and especially in these latter times, has acquired so much glory in the estimation of the whole world for its equity, prudence, and other virtues. And, since it has been represented, that among the bishops certain questions and differences have arisen, relative to the conditions on which the Catholics are to be placed on an equality with their fellow-subjects—We who, in the absence of the Supreme Pastor, are placed over the concerns of the sacred missions; and, for that purpose, are invested with full pontifical powers; have thought it incumbent on us to remove every ambiguity and obstacle which might impede so desirable a conciliation; and, by the authority and consent of the Holy See, to supply such faculties as do not come within the ordinary limits of episcopal jurisdiction. Having, therefore, taken the advice of the most learned prelates and divines; having examined the letters which have been transmitted to us both by your lordship and the archbishop of Dublin; and the matter having been maturely discussed in a special congregation; it is decreed, that the Catholics may, with satisfaction and gratitude, accept and embrace the Bill which was last year presented for their emancipation, in the form in which your lordship has laid it before us. One point only requires some explanation; and that is, the second part of the Oath, by which the clergy is so restrained, as not to be permitted to hold any correspondence with the Sovereign Pontiff and his ministers, which may, directly or indirectly, subvert, or in any way disturb, the Protestant Government or Church. It is evidently by divine authority, the special duty of the ministers of the Church, every where, to propagate the Catholic faith (the only faith which can lead to eternal felicity), and to refute erroneous doctrines. This is taught by the precepts of the gospel, and by the example of the apostles and their successors. Now, should a Catholic convert any Protestant to the orthodox religion, he might be deemed guilty of perjury; as, by such conversion, he might seem, in some sort, to disturb the Protestant Church. Understood in this sense, the oath cannot lawfully be taken, as being repugnant to the Catholic Faith. If, on the other hand, this be the meaning of the legislators—that the ministers of the Catholic Church are not forbidden to preach, instruct, and give counsel, but are only prohibited from disturbing the Protestant Church or Government by violence and arms, or evil artifices of whatever kind; this is just, and entirely consonant to our principles.

" To you, therefore, it belongs, with all humility and earnestness, to supplicate the high court of Parliament, that in order to quiet and secure the consciences of the Catholic Clergy, it will affix some modification or declaration to this clause in the oath, which, removing every ambiguity, may leave them the liberty peacefully to preach and to persuade. In case the Bill be already passed, containing the same words, or that nothing in it is allowed to be altered, let the Clergy acquiesce; and it will be sufficient for them publicly to declare, that this, and this only, is the sense in which they have sworn to it, so that nothing in the oath may be adverse to orthodox doctrine; and, that this protest may be generally known, and be for an example to posterity, this construction of it shall be publicly recorded. It were to be wished, likewise, if it can be obtained, that a declaration should be made by some of the members of Parliament, that Government requires the oath from the Catholic Clergy in this sense, and no other. Other clauses, which you mention as contained in the same Bill, may be submitted to by the indulgence of the Apostolic See.

his aid four or five prelates of the greatest eminence then at Rome, who had also been engaged in considerable departments of the old Ecclesiastical Government, and who concurred in the recognition of the principles of restriction which have

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" That the King should desire to be certified of the loyalty of such as are promoted to a bishoprick or deanery, and should be assured that they are endowed with such qualities as become a good subject; that, to investigate these particulars, he should likewise appoint a committee to inquire into their moral conduct, and make a report to his Majesty, as your lordship has given us to understand is the case: that for the very same reason, the King should require that foreigners, and those likewise who have not resided five years in the kingdom, should be excluded from such dignities—all this, as it regards only what is within the competence of civil authority, may be deserving of every toleration. It is highly proper that our prelates should be agreeable and acceptable to the King; that they should exercise their ministry with his full consent; in fine, that their probity should be evident even to those who are not in the bosom of the Church. For a bishop (as the Apostle teaches, 1st Epistle to Timothy, iii. 7.) must have a good testimony from them who are without. On these accounts, by the authority vested in us, we allow that those who are designed for a bishoprick or deanery, and are proposed by the clergy, be admitted or rejected by the King, according to the proposed Bill. Therefore, after the clergy have, in the usual manner, chosen those whom they shall have judged in the Lord to be worthy to be exalted to those dignities, in Ireland the metropolitan of the province, in England and Scotland the senior apostolical vicar, shall announce them to the committee for the Royal approbation or dissent. If the candidates be rejected, others shall be proposed, who may be pleasing to his Majesty; but, if approved, the metropolitan or apostolical vicar, as above, shall send the act of their election to this sacred Congregation, which, having weighed with care the merits of each individual, shall apply to the Sovereign Pontiff for canonical institution. We observe, likewise, that it is the office of the said committee to examine any letters which are sent to any of the clergy of Great Britain from the Ecclesiastical Powers, and diligently to inquire whether any thing be contained therein which may be obnoxious to the Government, or in any way disturb the public tranquillity. Since communication with the head of the Church in spiritual and ecclesiastical concerns is not prohibited, but the inspection of the committee regards only matters of civil policy, this likewise ought to be acquiesced in. It is good that the Government should not entertain any suspicion concerning our communications.

" What we write can be laid open to all; for in no way do we interfere with civil concerns: our attention is directed to those things only which appear to be required by the divine and ecclesiastical law, and by the salutary regulations of church discipline. Those matters only shall be kept secret, which affect the internal tribunal of conscience; but for this we see it is sufficiently provided by the clauses inserted in the said Bill: and we are well persuaded that your wise Government, while it is intent on preserving public security, will, by no means, exact that the Catholics should depart from their religion: nay, is rather pleased that they faithfully adhere to it; for this holy and divine religion is friendly to public authority, gives stability to thrones, and makes subjects obedient, faithful, and emulous of their country's welfare. Nothing, therefore, can be more gratifying and delightful to the Apostolic See, than that between the Government and its Catholic subjects there should exist an entire concord and a mutual confidence; that the ministers of the state should never be able to doubt their loyalty, obedience, and attachment; and that the Catholics themselves should be devoted to their country with every effort of zeal, candour, and alacrity. We therefore exhort all, in the name of the Lord, and especially the bishops, to lay aside contention; and, for the edification of others, unanimously to adopt the same sentiments, that there may be no room for schism, nor any injury be done to the Catholic cause: but that, if the Bill shall be passed, by which the Catholics shall be freed from the penal restrictions by which they are now held, they not only embrace it with entire satisfaction, as has already been said, but express the strongest sentiments of gratitude to his Majesty and his most august council, for so great a benefit; and, by their conduct, prove themselves worthy of been so pertinaciously resisted by the Irish Catholic Board. The hon. baronet then adverted to the Resolutions of the Irish Catholic Bishops in 1799,* which also had been presented and laid on the table of the House, signed by the four metropolitans and six senior bishops; in which they agreed to the measures

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it. In conclusion, we request of your lordship, that you will cause this letter to be communicated to all the bishops and apostolical vicars in the kingdom: and, trusting that they will promptly and entirely conform themselves to these things, which from the power vested in us have been decreed, we beseech the Lord God Omnipotent to preserve your lordship for length of years; and, at the same time, I profess myself bound to you by every consideration, and am

Your most devoted Servant,
J. B. Quarantotti, Vice-President.
Michael Adeodatus Galeassi,
Substitute.

"Given at Rome from the Chambers of the Congregation for the Propagation of the Faith, 16th February, 1814."

* Copy of the Resolutions of the Roman Catholic Prelates, assembled at Dublin on the 17th, 18th and 19th of January, 1799;—transmitted to the Chief Secretary of Ireland.

"At a meeting of the Roman Catholic Prelates, held in Dublin the 17th, 18th and 19th of January 1799, to deliberate on a proposal, from Government, of an independent provision for the Roman Catholic Clergy of Ireland, under certain regulations not incompatible with their doctrines, discipline, or just influence—

"It was admitted, That a provision through Government for the Roman Catholic Clergy of this kingdom, competent and secured, ought to be thankfully accepted.

"That in the appointment of the prelates of the Roman Catholic religion to vacant sees within the kingdom, such interference of Government as may enable it to be satisfied of the loyalty of the person appointed, is just, and ought to be agreed to.

"That to give this principle its full operation, without infringing the discipline of the Roman Catholic Church, or diminishing the religious influence which prelates of that church ought justly to possess over their respective flocks, the following Regulations seem necessary:

"1. In the vacancy of a see, the clergy of the diocese to recommend, as usual, a candidate to the prelates of the ecclesiastical province, who elect him or any other they may think more worthy, by a majority of suffrages; in the case of equality of suffrages, the metropolitan or senior prelate to have the casting vote.

"2. In the election of a metropolitan, if the provincial prelates do not agree within two months after the vacancy, the senior prelate shall forthwith invite the surviving metropolitans to the election, in which each will then have a vote; in the equality of suffrages, the presiding metropolitan to have a casting vote.

"3. In these elections, the majority of suffrages must be *ultra medietatem,* as the canons require, or must consist of the suffrages of more than half the electors.

"4. The candidates so selected, to be presented by the president of the election to Government, which, within one month after such presentation, will transmit the name of the said candidate, if no objection be made against him, for appointment to the Holy See, or return the said name to the president of the election, for such transmission, as may be agreed on.

"5. If Government have any proper objection against such candidate, the president of the election will be informed thereof within one month after presentation, who in that case will convene the electors to the election of another candidate.

"Agreeably to the discipline of the Roman Catholic Church, these regulations can have no effect without the sanction of the Holy See; which sanction the Roman Catholics of this kingdom shall, as soon as may be, use their endeavours to procure.

"The Prelates are satisfied that the nomination of parish priests, with a certificate of their having taken the oath of allegiance, be certified to Government.

(Signed) Richard O'Reilly.
J. S. Troy.
Edward Dillon.
Thomas Bray.
P. J. Plunkett.
J. Moylan.
Daniel Delany.
Edmund French.
James Caulfield.
John Cruise."

reprobated by the Catholics of the present day. When he had first alluded, in the House, to the subject of the restoration of the Jesuits, an attempt was made to turn his apprehensions into ridicule; it was now in evidence that those apprehensions were but too well founded. The example of Russia, which had been quoted as authority, was not applicable to this country; for when Catharine, for her own purposes, gave an asylum to the Jesuits in her dominions, she took care that the Greek priests of the National Church, should have the charge of the religious education of all who were not Catholics, in the colleges of the Jesuits: and he had been assured from the best authority, that there was not a single instance of any convert having been made in their colleges from the Greek to that of the Roman Communion. The hon. baronet then referred to the Bill, which had appeared in most of the Dublin newspapers, which was intended to be brought in by his hon. friend (sir H. Parnell) if successful in the previous measure. The preamble of that Bill stated, that it was just and expedient that his Majesty's Roman Catholic subjects should be restored to their just rights, and to all the privileges of the British Constitution. He contended against the principle of right; and that to whatever new privileges they were admitted, they were to be considered as concessions of civil policy, not as rights to be demanded. It had been said, that this measure would have the effect of conciliating four or five millions of Catholics. It might be so—but the hon. baronet had not told them what description of persons were likely, thereby, not to be conciliated. Were there not from twelve to fourteen millions of subjects who would consider such concessions to the Catholics with a very jealous eye? And did not the hon. baronet know that even his own conduct was reprobated by the Catholics themselves, and that he was reproached in every newspaper? Was he not called the tool of ministers, of lukewarm friends, or of decided enemies? so little was his own measure to the taste of those for whom he stood forward as the advocate. With respect to the oath, in the resolutions proposed by the hon. baronet, it was in a great measure abrogated as a security, for it was to be taken only by those who held places and offices of trust. He remarked, that if the Catholics would be at the trouble to turn to the pages of their history, they would find that their Catholic ancestors had most zealously contended for securities against the Pope's authority in England; and even the bigoted Mary left on our Statute Book all those securities enacted prior to the 20th of Henry 8.—With respect to a select committee, although he almost despaired of inducing the House to agree to its appointment, still, he could assure them, he felt a strong conviction in his mind, that no other course of proceeding could possibly have any adequate effect in settling this important question; nor could he see any sound objection to the adoption of that mode of investigation, which indeed preceded their decision on almost every great measure. When an alteration in the Corn Laws was contemplated (among the innumerable instances), the subject was referred to a select committee: indeed there was scarcely any material question that came under the consideration of the House, on which they had not resorted to the report of a select committee for their instruction. But on this multitudinous subject, when they were called on to make so wide a departure from the principles established by their ancestors—when they were told by some, that the measure would bring five or six millions of our population within the pale of the constitution—when so large a mass of the people regarded these claims as matter of right, and others considered them merely as concessions of policy—they were ready to proceed without information, except what was derived from the loose debates to which, at different times, it had given rise. Let the House look to the proceedings of 1813. Was there, at that time, a paper relative to this subject on the table, with the exception of those documents which, on his own motions, had been placed there? And he conceived it to be his duty to apprise the House, that he would follow up the course he had commenced, by moving for papers of a similar description, till the want of information was so far removed: yet all this would fall far short of the report of a well-constituted committee. He called therefore for adequate inquiry, and he could not support any measure which fell short of attaining that great object. Viewing this subject in all its different lights and bearings, he did not mean to oppose going into the committee; at the same time that he could not actively support the motion for that purpose. He should act thus, because, although he did not think the motion could answer any useful purpose, he knew, if he opposed it, that he would be considered as having resisted inquiry. Many of the resolutions which the hon. baronet informed them he meant to propose in the committee, were, in his opinion, so much at issue with many of those great principles which were connected with the very vitality of the constitution, that the introduction of such resolutions as the basis of enactment, without adequate inquiry, could never be consistently countenanced. He was averse from opposing any discussion that might lead to useful information; but, when he saw those Petitions on the table, copied one from another, praying for unqualified emancipation—when he knew the feelings and opinions of the most respectable and sober-minded Roman Catholics were averse from the tone of those Petitions, as he had it in his power to prove—those individuals being ready to agree to certain restrictions with respect to the nomination of bishops, as constituting that barrier, which was one that might be advantageously raised against the encroachments of the see of Rome—knowing and weighing these circumstances, he could see no adequate good likely to accrue from the motion: yet, for the reasons he had assigned, he would not oppose going into the committee.

Mr. *Yorke* said, it was not his intention to detain the House for any great length of time, and he certainly meant to avoid going into a general detail of the principles connected with this subject, which did not appear to him to be necessary for the decision of the present question. He could not help expressing some surprise at the conclusion of the hon. baronet's speech. He had, in a very clear and distinct manner, stated his objections to the resolutions; and having pointed out, in terms which he would not attempt to describe, the danger to be apprehended from unqualified emancipation, he concluded his speech in a way which undoubtedly excited his astonishment, by declaring that he did not mean to oppose going into the committee. On this he would not dictate — he would leave it to the hon. baronet to reconcile the inconsistency which was observable between the general tenour of his speech, and his resolution to abstain from opposing the motion: but this he would say, that if every gentleman acted as the hon. baronet meant to do, the very dangers which he apprehended were likely to be visited on them, against the conviction of their better judgment. Now, he would ask, what part of the House were likely to support the present motion? None of those who opposed the committee in 1813 were now likely to change their opinion. With respect to those (and he believed they were not very numerous) who, at all hazards, were ready to give the Catholics what they required, they, of course, would raise their voices in defence of the present motion. But those who voted for the resolution of 1813, and supported the Bill brought in subsequently, because it comprised a number of restrictive provisions, could not, consistently, vote for the motion of the hon. baronet. What was the measure which received their support? It was a measure, strictly speaking, of restriction. The Bill was full of restrictions, and was drawn in the most cautious way, with respect to the securities which were deemed necessary. Many gentlemen, indeed he might say nearly all who supported it, voted for the Bill on this principle—that it was a measure fortified by restrictions; and his noble friend (lord Castlereagh) did, in his forcible speech on that occasion, most pointedly refer to the necessity of restrictions. His noble friend at that time stated, that "minor points of concession, which appeared necessary, he would immediately grant if he thought they would produce satisfaction; but, where matters of high importance to the empire were demanded, he would look for securities—such securities as would afford better safety to the Church and the State, than those which were then in existence." On that principle he understood his noble friend to have supported the Bill. It was not merely, then, a measure of security, and artificially drawn for that purpose, but it was conceded, with a general view to the conciliating of all classes of his Majesty's subjects. If the proposition formerly made to them embraced two objects, security and conciliation, what was the nature of that which was then before them? If the question were taken up under existing circumstances, was there any hope of conciliating all the Protestants of England and Ireland? Was there even a hope that the Catholics themselves would be conciliated, when it was known that great differences of opinion existed between the English Catholics and those of Ireland, with respect to the safeguards to be given against the power of the See of Rome? The petitions on the table all proceeded on the same principle—they called for full and unrestricted emancipation—but they did not speak the sentiments of all the Roman Catholics. Many of the petitions were couched in the very same words as that presented by the hon. baronet from Sheffield. One of them concluded by praying, that 'Freedom may be granted, unaccompanied by securities, and unfettered by restrictions:' and another, though it did not go to that length, yet gave not the slightest hope of any interference being permitted in the nomination of Roman Catholic bishops. Now, he could not go over these petitions, without making a few remarks on some of their expressions. The petitioners frequently talked of the 'constitution having been matured by our Catholic ancestors;' an observation very common also in the speeches of those who supported unrestricted emancipation. They exclaim, 'Why should you not grant their claims? The ancestors of the Petitioners matured the constitution, and they themselves have fought the battle of our common country with great valour and with great success?' Now, as to a claim founded on their ancestors having matured the British constitution, Parliament might, with equal justice, be petitioned to extend the benefits of that constitution to Pagans as to Roman Catholics; for he would maintain, that the constitution was derived from their Teutonic and German ancestors, and not from those who claimed that merit in the petitions on the table. 'The Constitution,' say they, 'was matured by the patriots and kings of the Holy Roman Catholic Church.' If this were so, it must have been by the last of them, and these were Henry 8 and queen Mary. He supposed it was intended to be argued that the constitution was improved by those patriotic sovereigns Henry 8 and queen Mary. When they asked for the full enjoyment of the blessings of the constitution; and, at the same time gave to their Roman Catholic progenitors the merit of having, as the phrase was, matured it, they appeared to him not to know precisely what they were requesting.—He should now advert to the Resolutions which, according to every statement of the hon. baronet, formed, essentially, a part of the petition of the Roman Catholics. He begged gentlemen to compare those Resolutions with the Bill which they had supported last year. There were some of those Resolutions of a very inoffensive nature. He had no hesitation in saying, if the Roman Catholics of Great Britain and Ireland suffered any grievances from the circumstances alluded to in the first Resolution, either with respect to their estates, or with reference to their marriages, he would, if the hon. baronet brought in a bill connected with these subjects, not only not oppose it, but give it his support. He had no objection to give to the Roman Catholics, in the shape of concession, every thing necessary for the full and complete possession of their estates; and he would equally concede to them whatever was wanting for the perfect exercise of their ordinary rights. These Resolutions, however, seemed to be put forth in the front of the battle, to conceal the material Resolution which appeared near the end—and which went to give the Roman Catholics every thing, while nothing was allowed by them, in return, but an oath. The Bill of 1813 was originally drawn with some restrictions, as to offices—in its progress, several others were added—and nothing was to be given to the Roman Catholics, except with a view to three great leading points, on which the hon. baronet had touched. These points his noble friend (lord Castlereagh) and others had insisted on. The points were: 1st, That the Crown should have a power of interfering with the transmission of Bulls, Rescripts, &c. from Rome to these countries, as was admitted in all other states: 2d, That, except private confessions between Roman Catholics in the United Empire and the See of Rome, no transaction should take place, to come at a knowledge of which, by the Government, some means did not exist: and 3d, That an effectual control of the Crown, in the nomination of bishops, should be provided for; in order that the Crown might know, before the appointment of any bishop, whether he was fit to be invested with so extensive a power. In the Bill now handed about, and, as stated by the hon. baronet who spoke last, founded on the Resolutions which had been recently read to the House, there was not a single word on these subjects. How, then, was it possible to entertain the present motion? Was there any probability whatever of getting through the business satisfactorily, in the existing state of things? The hon. baronet stated, that when he had thrown the Resolutions on the table, those Resolutions forming the heads of the Bill which had been drawn up by the petitioners, the House might, forsooth, do what it pleased with them. But then came the question, How are you to please the petitioners? Surely they must have heard of the conduct pursued by them in their public meetings. He would not repeat the language which they used on those occasions, but it certainly seemed to breathe an inveterate hostility to British connexion. One of them, Mr. O'Connel, was a gentleman doubtless of high respectability; but when he pushed his pretensions so far as to claim a descent from the ancient monarchs of Ireland, it became ludicrous. They might as well go back to the kings of the Heptarchy, or to the monarchs of Scotland or of Wales, and seek a spurious dignity, by claiming them as ancestors. If gentlemen consented to eat their own words, which they would do, by passing these Resolutions, after what they had before agreed to, so far from conciliating that class of persons to whom he had alluded, they would, in fact, only treat the boon with contempt. He knew not how his noble friend (lord Castlereagh) could agree to the proposition now made. He never would go so far as his noble friend was probably inclined to go—he never would entertain this question, with regard to concessions of great moment, till he was perfectly aware of what the See of Rome meant to do. Till they knew that, they were proceeding in the dark. In the present state of the Catholic mind, he could not conceive how they could give any security for the concessions the House might be induced to grant, until they were apprised of what the See of Rome would suffer to be done, with reference to ecclesiastical points. He should be glad to learn of his noble friend what had been effected with reference to these points: he should be glad to know whether any understanding had been come to on them; and, if so, how far the Roman Catholics would be allowed to concede matters, connected with their religion, which at present formed the great obstacles to the securities which he conceived necessary. He believed, not only that nothing additional had been recently done, but that that which had been formerly effected by the College *de propaganda fide*, if not revoked by the Pope, was at all events sent back for consideration *ad referendum*. He did expect that his holiness would, before this, *sui juris*, have made some disclosure, *ex cathedrâ*, on these subjects, to his flock in Great Britain and Ireland. Up to that moment, however, he was convinced nothing had been done; and such were the differences between the Catholics of England and Ireland, that intrigues, he believed, were carrying on at Rome, by the missionaries of the respective bodies, with a view to prevent the present Pope from coming to any opinion on the disputed points. Till those points were definitively settled, he would not consent to stir a step.—The right hon. gentleman then made a few observations on the oath attached to the Resolutions, which he objected to, because the most material parts of the oath inserted in the Bill of 1813 were omitted—and concluded by observing, that they could not, by entertaining the present motion, do any practical good; the utmost effect of the proceeding would be, to keep the business afloat, and to create a strong irritation throughout the country, as had been the case in the session before the last.

Mr. *Knox* said, that as it was his intention to oppose the motion of the hon. baronet, he felt it necessary shortly to state to the House the reasons which induced him to do so. No measure would do more to strengthen the connexion between Great Britain and Ireland, than that of giving to the Roman Catholics the full extent of the privileges of the constitution: but he was sure that Parliament would never agree to any measure of that kind, without ample provision was made, to prevent any foreign or papal influence. Though it had not been, nor could it be expected, that there should be a universal approval, by the great body of the Catholics, of the measures adopted to ameliorate their situation, yet it was necessary that there should be a pretty general assent, otherwise any plan agreed upon by Parliament would be attended with no effect. In 1813, he entertained a hope, that this business would have been finally adjusted. He thought there appeared, amongst the several parties in Ireland, a willingness to come to proper arrangements. All the objections, it was then hoped, might have been removed by the concurrence of the Pope in certain propositions. As he had shown considerable liberality, he thought his holiness would not refuse to do something for that important part of his flock, the Catholics of Ireland. With this hope, he agreed to the Bill of 1813. But, however flattering the prospect then was, it had since altogether vanished. The Roman Catholics seemed now more determined than ever in their resistance to the just demands of the Protestants for security. They had refused, on a late occasion, to concede the Veto, even when it was proved that the Pope agreed to it. An hon. baronet had alluded to the Rescript of Monseigneur Quarantotti. How was that Rescript received? Not with pleasure and gratitude, as the removal of the only bar against what the Roman Catholics demanded. No; it was rejected with disdain: the person who brought it was held up to detestation, and even the character of the Pope was not spared. He was accused of having acted from sinister motives. When, however, objections drawn from the nature of their religion failed, those who did not wish the matter to be set at rest, had recourse to points of a civil description. Much stress was laid on the danger of increasing the influence of the Crown, if in its hands were placed any control over the election of bishops. This was an objection which might as well have been advanced by a Protestant as by a Roman Catholic. While the objection to the Veto could answer the purposes of the Catholic leaders, they made use of it; but when the Pope seemed to agree to that measure, they turned round to seek for other sources of discontent; and, he believed, they succeeded in finding them. Those leaders had no view whatever, either in what they had done, or in what they were doing, but to keep alive a question that irritated the public mind, and created sedition and disaffection. Without being afraid of any charge of inconsistency, he would vote against the motion; and he would do so under the thorough conviction, that it was impossible, at the present time, to produce any measure on this subject, to which Parliament ought to consent, and which would conciliate all the parties who would be affected by it. He would ask any gentleman, whether the least hope existed of producing a measure, that would satisfy the Roman Catholics, during their present most degrading and disgraceful subserviency to those men who exercised such a decided domination over them? Was there any hope of procuring those securities from the Catholics, which Parliament would always insist on? What object, then, could they attain by going into the committee? Would they grant a bill, founded on the Resolutions read by the hon. baronet? If they would not, the House well knew that the Roman Catholics would accept of no measure which fell short of that. The warmest friend and advocate of the Catholic cause could not possibly gain any thing by this proceeding. On the contrary, if they acceded to the motion, it would have the effect of injuring the cause; because it would render their leaders more violent and unruly. They would say, "As Parliament have not refused to entertain your claims, persevere with the same spirit you have lately manifested, and you will be sure to succeed." But if the House refused to go into the committee, the Roman Catholics would soon abandon those designing men, who were blighting their hopes, and the hopes of their posterity, and they would be glad to come to Parliament, and ask for that as a boon, which they now claimed as a right—that the ancient establishments of this country should be altered for their benefit.

Mr. *Maurice Fitzgerald* observed, that the right hon. gentleman who spoke last from the other side of the House (Mr. Yorke), had very properly abstained from discussing the principle of this question. He should follow his example, though not for the reason stated by the right hon. gentleman, who seemed to think that a majority of the House was not capable of changing their opinion. He could not agree to such a proposition as this, when he recollected, in the early discussions on this question, the immense majorities which were arrayed against it. Those majorities gradually diminished; and, on the last discussion, a great majority appeared in favour of emancipation. He was sure, therefore, that there was no set of men in that House, so insensible to reason, to justice, to the principles of the British constitution itself, as to withhold from a great body of their fellow-subjects, those rights to which they were intitled, merely because they had been long deprived of them. He contended that the right hon. gentleman had entirely misunderstood the preamble of the Bill, which he had read to the House. The words of the preamble were, "It is just and expedient that the Catholic inhabitants of these realms be restored to the free enjoyment of the rights and benefits of the constitution." They did not say that they had a right to those immunities; but they claimed, from the wisdom of Parliament, that they should be allowed those privileges which the constitution held to be the right of loyal subjects. This was a fair explanation of the preamble; on a misconstruction of which the right hon. gentleman called on them to reject the motion. He hoped the House would view the matter in a different light; and he trusted, notwithstanding what had fallen from the hon. gentleman who spoke last, they would see, that, if they rejected the present motion, they would act inconsistently with their former vote. The right hon. gentleman argued, that, at this late period of the session, they could not entertain the measure, so as to give effect to any object connected with the question. But he had himself answered this assertion; for he admitted, that, on some points, he was ready to grant relief immediately. When this measure was examined in a committee of the whole House, in all its bearings, a bill might perhaps be the result, in the provisions of which the right hon. gentleman himself might concur. But, even if no specific measure arose from the consideration of the question, it would afford an opportunity of embodying the views of gentlemen on the subject, and it could be allowed to stand over till the next session. None of the arguments of the gentlemen who had opposed the motion, went to prove that great benefit would not be derived from granting the committee. They spoke of the language of the petitioners out of doors; but surely it was not on such a foundation that Parliament would proceed to legislate! There was a petition from a very large body of persons before the House, calling for a participation in the rights of the constitution; and it was no answer to the petitioners to say, "You have misconducted yourselves elsewhere!" The question was, "Is there any thing offensive in that petition?" The parties, it was said, called for unrestricted, unqualified emancipation. But, by doing so, did they interfere with the decision of Parliament? They set forth the extent of their own hopes—they gave the most enlarged range to their application—they told the House what they expected—but they did not do it in the way of dictation. When his hon. friend laid the resolutions before the House, it was not to control their judgment. No; it was for the purpose of putting Parliament and the country in possession of the fullest extent to which the strongest advocates for emancipation wished to go. It was necessary that every thing should be understood—that nothing should remain behind for future discussion. Indeed, it was a complaint frequently made, on former discussions, that the whole subject was not fairly brought forward, but that much business of importance remained for after-consideration, since no person could tell how far the Roman Catholics were willing to go. It was undoubtedly necessary to know what securities would be given for the safety of the establishments of the country; but it was essential, before they went into the committee, that the whole extent of the demand should be clearly explained. He regretted to find that an hon. baronet (sir J. C. Hippisley) seemed within a short time to have changed his sentiments. At first he had appeared a warm friend of the Catholics; but, from some unaccountable circumstance, he had altered his opinion, and now opposed all concessions under all circumstances. The two hon. gentlemen who had preceded him, spoke of the manner in which the Veto had been received by the Roman Catholics, as a good reason for not considering the question at all. On this point he must observe, that he understood a person was now coming from Rome, who was the bearer of a document, which he thought would prove extremely gratifying when known to the British Government. The person to whom he alluded, was one of those who wished for conciliation; and, perhaps, such a communication might arrive as would do away many of those ecclesiastical difficulties, that at present surrounded the question. With respect to a Veto, his opinion remained totally unchanged. With respect to the feelings of the Catholics on this point, which was so nearly connected with their church, he should say nothing. It was a pure matter of conscience. But, as a Protestant, he disliked a Veto; which, if effectual, would give to a Protestant government a most dangerous and mischievous power. It would be the means of lending the patronage of the Catholic Church to the purpose of Protestant politicians; and this, he conceived, would be exceedingly dangerous. It would also have the effect of introducing sectaries amongst the Catholic clergy, who would endeavour to entice the people over to them, in the same way as similar causes had operated in the Protestant Church. Neither a difference of opinion on the subject of the Veto, nor on any other point, could be fairly advanced as an argument against going into the committee. It was futile to say, that no investigation should take place until every disputed point was disposed of.—The right hon. gentleman then strongly enforced the propriety of going immediately into the committee, as the first step towards forming such an arrangement, as would put an end to that irritation out of doors, of which gentlemen had complained so much. Whilst they left the claims of the Catholics open to discussion, a weapon was placed in the hands of those who were ardent in their cause, which they felt themselves obliged to use; but, if their claims were conceded, that weapon, which now did so much mischief, would fall harmless to the ground. It was the higher classes of Roman Catholics in England and Ireland—the nobility and gentry, whose conduct was allowed to be most meritorious—who were particularly anxious for relief; and would the House refuse to go into a committee, preparatory to granting them what they requested, because the lower orders, influenced by men of strong feelings, had over-leaped the bounds of moderation?—The right hon. gentleman then adverted to the circumstance of the petition having been transferred from the hands of Mr. Grattan; a circumstance which he deeply deplored. He knew, however, that it would not damp the vigour of his right hon. friend in supporting the cause of his Roman Catholic brethren, which he had so long and so ably advocated; and which, he hoped, he would yet see triumphant. He concluded by enforcing, in very pointed terms, the necessity of immediately entertaining the question, for the purpose of preventing farther irritation; and that the feelings, the wishes, and the views of all the subjects of this great empire might be incorporated into one.

Mr. Serjeant *Best* said, he would not, for one, vote for the proposed committee, because he could not agree to concede to the Catholics of Ireland all they asked; and without such a concession, from the declaration of that body, it appeared they would accept of nothing. When this subject was formerly under the consideration of the House, the terms upon which concessions were to be made, as well as the extent of those concessions, were fully discussed, and he, for one, had stated his willingness to grant the Catholics the right of sitting in that House, however averse he might be to their holding the higher offices of state. This partial compliance with their wishes was however rejected with contempt, and they now came to demand a full and unlimited acquiescence in all their views. That such a demand would be complied with on the part of the House, was not very likely; and he was satisfied, if the right hon. member for Liverpool (Mr. Canning) was present, he would not give it his sanction any more than would another right hon. gentleman (Mr. Plunkett), who was also absent, and who had distinguished himself in advocating the Catholic cause. Was it to be expected, he would ask, that gentlemen who had voted for giving to the Catholics of Ireland certain concessions with securities, would now vote the same concessions without securities? If the laws were unjust towards the Catholics, he conceived that injustice might be obviated by a short bill, without going into a committee to consider the whole claims of that body. It was not necessary to agitate the general question for the sake of obtaining a partial remedy. If the hon. baronet would bring in a bill for amending the defects in the existing laws respecting the Roman Catholics, he would most willingly give him his feeble support; but it was not because he agreed that the laws ought to be amended, that he therefore thought it was fit or necessary the House should agree to the proposed Resolutions. The question for consideration was one of expediency, and not of right; and because the petitioners had thought proper to claim as a right, that which depended upon the wisdom and policy of Parliament to grant, was a cogent reason for not complying with the hon. baronet's motion. Independent of this, however, the conduct of the whole Catholic body in Ireland had been such as to call forth the strongest reprobation, and indeed to lead to a conclusion, that their sole object in bringing forward the question in the shape in which it had been submitted to the House, was that their claims should be rejected. There was now no qualified prayer for concession, but an absolute dictation of the terms which were to be granted, and which of itself afforded abundant reason why the House should refuse to deliberate upon their petition. Before he could agree to such a deliberation, he must have an assurance of their willingness to give ample securities for whatever they might receive. He was far from believing, that the sentiments uttered by the hon. baronet who moved the resolutions that night, were in unison with the principles of the Catholics of Ireland, or that their feelings were such as were cherished by good subjects of a Protestant state; and, for one, before he would grant them any thing, he should require a clear explanation of many of the doctrines which they had promulgated. Foremost among these, he should require from Dr. Milner, one of the heads of their Church, an exposition of a passage in a pamphlet attributed to him, in which he laid it down as a maxim, that the arm of power might be legally raised against a heretic king. He should like to hear this doctrine disavowed. He did not mean to assert positively that such had been the language of Dr. Milner, but it had been published to the world as such; and before he entered into a general consideration of the Catholic claims, he should like to hear it confirmed or denied. He should also like to have some further intimation as to the power which his holiness the Pope was to hold over the Catholics of these countries; as, from a letter published, and alleged to be from the Court of Rome, it was stated, that oaths taken against the Church were null and void. It would be desirable to know what his holiness's sentiments were upon that point now. The hon. and learned serjeant concluded by observing, that as the Catholics had declared their intention to accept nothing but an unlimited concession of all they asked, it would be useless to go into the committee; he should therefore give his vote against it.

Mr. *Ponsonby* rose and said:—I have so frequently delivered my sentiments upon the Catholic claims, in former debates, that I do not think it necessary to enter at any length upon the subject this night, conceiving, as I do, that a repetition of my arguments would be as disgusting to the House, as irksome to myself. I shall therefore only offer a few reasons for the vote which I shall give for going into the committee. At the same time I am ready to acknowledge, that the time and mode of introducing this subject is not the most judicious. In voting for going into the committee, in order to afford the House an opportunity of considering the question in all its bearings, however, I do not consider myself as bound, in the smallest degree, to any one of the Resolutions proposed by the hon. baronet. It would be a strange perversion of the ordinary course of parliamentary proceedings, if because in agreeing to a committee, it was known that certain specific propositions were to be submitted in that committee, that those who had voted for the committee were of consequence to be bound to adopt those specific propositions. I apprehend the very reverse to be the case, for the essence and object of every committee is to examine, in detail, the subject which shall be submitted to their consideration; and without such examination they cannot, of course, be considered as giving those details their assent. The hon. and learned serjeant who spoke last has admitted, that relief to a certain extent is due to the Catholics of Ireland, and has expressed his readiness to give his aid towards introducing a bill for attaining this end—he, at the same time, however, utterly disapproves of any committee being formed. Now, if the hon. and learned serjeant had been at all acquainted with the usage of Parliament, he would have found that to introduce such a bill, without a committee, would be utterly impracticable, as the invariable rule is, to submit such questions to the consideration of a committee, before the House is moved for leave to bring in the bill. Insomuch, therefore, the hon. and learned gentleman's observations are favourable to the Resolutions before us. In voting for the committee, I hold myself as free to decide on the merits of the specific propositions to be discussed, as he who is determined to vote against them; but it is not because I disapprove of the conduct of the petitioners, that I am therefore to oppose the committee. The hon. and learned gentleman says, the Catholics, on this occasion, have come forward with positive demands, less than which will not satisfy them. I protest against being supposed in any degree pledged to what are called the demands of the Catholics. The question for consideration now, however, involves not merely the interests of the Catholics or the Protestants, but the freedom and the happiness and the welfare of the whole community. I cannot, because any particular individuals have been guilty of indiscretion, deny that which is due to the prosperity of the community at large. The Catholics may demand what they please; but no member is bound to concede more than he may think proper. It is natural, where a great deal is due, that a great deal should be demanded; but because there is a universality of demand, it does not therefore follow there shall be a universality of concession. My opinion now, however, as it has always been, is, that the measure itself is the greatest security which this country can have. I think that the Catholics would have acted wisely, prudently, and with judgment, if, in seeking the accomplishment of their desires, they had acted consistently with the wishes, or the pleasure, or the prejudices of the Protestants; and this I have declared upon more occasions than one. Were a consideration of the conduct of the Catholics to bias my vote upon this occasion, when I consider the course which they have pursued towards my right hon. and highly respected friend (Mr. Grattan), it would place me in the list of their enemies. To him they owed more than to any other man alive, and yet how did they pay their debt of gratitude? I am, nevertheless, persuaded, whatever may have been the motives by which they were actuated, or however ill-counselled they may have been, that the feelings of his great mind have not been altered, and that their conduct has made as little impression upon him as it has upon me. In considering the question itself, the proceedings of the Catholics will not induce him or me to vote against the consideration of a subject in which I conceive the highest interests of the united kingdom are involved. Upon these grounds, I shall vote for going into the committee; but I repeat, in acceding to the motion for this purpose, I pledge myself to no distinct opinion as to the propositions which my hon. friend may think proper to propose.

Mr. *Peel* said, that to the honour and dignity of the House it was due that the motion for going into a committee should be resisted. If an attempt at arrangement could only be productive of dissatisfaction and disunion, there was no reason why the House should proceed to legislate on the subject; and on this ground it was material to inquire into the state of feeling among the Catholics of Ireland, as that feeling was to be collected from the declarations of persons who possessed the confidence of that body. The hon. baronet who moved the Resolutions had said, that by repealing the laws obnoxious to them, the House would obtain the gratitude of the Irish Catholics. The hon. baronet should have been the last person to talk of the gratitude of the Irish Catholics, when he reflected on the circumstances under which he himself had been induced to present their petition to the House. Mr. Peel said, he should beg the attention of the House to some facts, which he should state principally from printed documents, illustrative of the conduct of that body of men by whom the petition to the House had been drawn up, and of the temper in which it was probable that any concession would be received by them, and by the Catholics in general. It had been said by the hon. baronet, that the object was so great that they should not 'squabble,' to use his own words, about securities; but they might see, from the facts which he would state, what was the security which was to be looked for from the feelings of the Catholics themselves. The newspapers most in the confidence of the Catholic body, had given, under the title of "The Catholic Association," an account of a meeting of that body in Capel-street, in which Mr. O'Connel reported that he had waited with the rest of a sub-committee on sir H. Parnell, who with promptness and cheerfulness had undertaken to present their petition. [Sir H. Parnell observed, that the House was not to trust the correctness of these reports.] Mr. Peel continued, that as a doubt was thrown upon the correctness of that account, he should immediately cast it aside, as he did not attach much importance to it, and should merely assume, which he believed no one would deny, that the hon. baronet had been induced by that body to present the petition, and to propose the Resolutions which he had circulated. He should proceed to mention the circumstances under which this body originated. In 1811 it was determined by the Catholics of Ireland that a body should be formed, consisting of the Catholic peers, sons of peers, and baronets, and the remaining members of the committee of 1793, together with representatives from each parish and town, which body was entrusted with the Catholic affairs, as far as regarded petitions to Parliament, and the forwarding the object of those petitions. Two members of this body were arrested, for having been present at the elections, which was illegal by the Convention Law, were prosecuted, and found guilty. The body was then in appearance dissolved; but an aggregate meeting was called, at which it was resolved, that the members of the Catholic Convention had the confidence of the Catholics of Ireland, and a petition was agreed on to the Prince Regent, complaining of infractions of the law on the part of the Duke of Richmond and his right hon. friend (Mr. Wellesley Pole.) An Address was prepared, and read to all the members of the former body, who accordingly met and continued to meet, till in the last year it was dissolved by the Lord-lieutenant in Council, who by a proclamation declared it illegal. The Catholic Committee was thus, as the Convention had been, in appearance dissolved. An aggregate meeting, however, was again held, and a resolution was adopted, recommending to the members of the Catholic Board to form a voluntary association. A body was formed of the members of two bodies, one of which had been declared to be illegal by a judicial sentence, and the other by a proclamation; and by this association was the present Petition to Parliament, and the Resolutions drawn up on the part of the Catholics of Ireland. Every one acquainted with the internal state of Ireland must have known the effect which the existence of these bodies had produced, or whether they could augur any thing of peace or concord from the members who formed part of the voluntary association. They would recollect their interference in the right of election by which those Catholics who had not voted at the last general election in favour of the advocates of the Catholic claims had lost the confidence of their Catholic fellow-subjects:—they would recollect the project of parochial subscriptions, by which power was given to call on every householder for 10*d.* or a larger sum, to defray the expense of the petitions to Parliament, and by which it was ordered that those who had "refused to pay," should have those words written against their names:—they would remember that a circular was sent to every member of the body to invite them to meet on the first and third Saturday of every month, because they were apprehensive that a religious persecution was about to recommence in Ireland. It was that body also which took on itself to inquire into alleged injuries to some Catholic soldiers; and it was in that body that it was proposed to appoint ambassadors to the Spanish Cortes, to beg their interference in the government of this country. It was that body that appointed a committee to inquire into the means by which the suffering Catholics of Monaghan could best be supported by legal means. The present association, to the honour of the former bodies, was not composed of all the members of those bodies, but of their leading and most violent members. How far, then, was the peace and honour of the united kingdom likely to be supported by such a body? That question might be answered by every member of the grand juries, who had almost unanimously attributed to that body the disturbed state of their counties. Was the House, then, to accept Resolutions dictated by this body? But it was said by some, that the House might grant a part of the claims of the Catholics, under the restrictions which might be thought necessary; but to this the Catholics replied, "We will not thank you—we will resist a partial repeal, or a repeal which gives you any security." The Bill which the hon. baronet intended to introduce, would have the effect of separating Ireland from Great Britain; but if a different bill was to be brought in, they should first hear the terms in which the Bill of 1813 was spoken of by Mr. O'Connel, in a meeting of the Catholic Board, which was held for the purpose of passing thanks on the Catholic prelates for their opposition to that Bill. [Sir H. Parnell here again wished to observe on the inaccuracy of the accounts which had been given of his interview with the sub-committee.] Mr. Peel observed, that the passage which he was about to read did not refer to any part of the conduct of the hon. baronet, but of a gentleman (Mr. O'Connel) who possessed the confidence of the Irish Catholics in a greater degree than any other person, and who had the votes of every individual of the association for his appointment to the sub-committee of which he was a member. At every meeting of the Catholics of Ireland the thanks of the body to Mr. O'Connel were among their resolutions. The opinion of a person who seemed thus to represent the opinions of the Catholic body was of some importance; and the more so, because he had drawn up the present Resolutions and the Bill, which, to save the Parliament the trouble of legislation, had been drawn up and previously circulated, and which the Catholics presented as the only measure they would have. [Hear! from some members on the Opposition side of the House.]—If the hon. members thought a different bill might be brought in, they might hear in what terms the Bill of 1813 was described by Mr. O'Connel—"It is impossible," he says, "that you should bear the name and form of Irishmen, and not abhor that absurd and mischievous

Bill. You need not be warned that you should not confide in your members, &c." Then, alluding to the cheer with which the report of the contested clause in the Bill of 1813 being lost was received, he says, "That ruffian shout of English insolence may be the last outrage on poor fallen degraded Ireland. The day-star of her liberty will arise" (in the shape of the Bill which the hon. baronet would propose.) "This last insult is indelibly fixed in the mind of every Irish Catholic, and, though it may be forgiven, it cannot be forgotten." Such language augured the impossibility of any conciliatory arrangement. The Bill, however, which was brought in was described as a bill to bury all animosities, and unite all the subjects of his Majesty in defence of the empire.—If the justice of the proposition submitted to the House were indisputable, he would admit that the conduct of the parties upon whose petition this proposition was grounded, would be a matter of no account. But when the conciliation of these parties was the avowed object, that conduct was a material subject of consideration. From the celebrated speech of that celebrated orator, Dr. Dromgoole, in 1813, at the meeting of the Catholics, from whom this petition emanated, it appeared that no such securities as had been submitted to that House in the course of that year, could be at all acceded to, consistently with a due regard to the discipline of the Catholic Church. And how did this orator describe the Protestant religion, in an authorized publication of his speech? why, that the Protestant religion, if supported by Heaven, required no human aid; but that, if not so supported, no laws could sustain it; for it must have been built upon a sandy foundation, and had lasted as long as any other novelty. This speech prefaced the Resolutions of the Catholic meeting, by which the Bill brought before the House in 1813 was marked with the most decided disapprobation, especially as to the proposition brought forward for the security of the Protestant Establishment. With those Resolutions, too, the declaration of the Irish prelates in 1813 entirely concurred. Nay, this ecclesiastical assembly voted thanks to Dr. Milner, whom they called the unwearied, incorruptible, and able agent of the Catholic cause. With these proceedings in the recollection of the House, he asked, whether any candid man could calculate that any measure the House was likely to adopt, would give satisfaction to, or excite the gratitude of the Catholic body of Ireland? Such a calculation would indeed be quite idle, as must be evident from the instances which he had cited. Upon the minds of those gentlemen who had, in 1813, declared their expectation that the discussion on that occasion would be final, as explanatory of the views of the House, he trusted that this consideration would have its due effect. On the whole, seeing that no arrangement was likely to take place that could promise the conciliation of the petitioners, if their wishes were to be judged of from their own language, he could not accede to the proposed committee.

Sir *J. Newport* thought, that looking to the tranquillity of Ireland, and the consolidation of the Union, it would be most unwise to dismiss the petitioners before the House without any examination of their case. Such a proceeding would indeed serve, in his judgment, to aggravate that soreness, upon the expression of which the last speaker had so long dwelt, while it must operate to paralyze a great portion of the strength of the empire, at a period when the effective union of all its resources was so essential to its common safety. He lamented that so much bitterness had been manifested upon both sides of this question, and especially that such bitterness had appeared in that House. But he could not persuade himself to believe, that the House would repel the case of the petitioners unheard, merely because some of those aggrieved individuals had given expression to their honest minds in rather an intemperate manner. For it might be, that if any set of gentlemen in that House were equally aggrieved, they would vent their dissatisfaction in terms even more intemperate. As to securities, he could not help thinking that the best security that could be devised for the present establishments of the country would consist in a community of privileges; because every man, of every religious persuasion, would then have an interest in supporting the system to which he owed the enjoyment of his privileges. According to the last speaker, the House should decline to concede to, or even abstain from, the consideration of the Catholic claims, until the Catholics should altogether suppress the declaration of any angry feeling: but in his (sir J. N.'s) view, it would be the better policy at once to remove the cause of such angry feeling. Such a course, indeed, would be more wise towards the state, and more just towards the parties aggrieved. It mattered not, according to his judgment on this occasion, what was the conduct of the petitioners or their connexions;—for, whether any petition was before the House or not, it was due to justice and the public interest, to take this question into consideration. Therefore the conduct of no set of men belonging to the Catholic body should withdraw the House from a proper sense of its duty. He lamented as much as any man, that any portion of the Catholics should have injured their cause by the indiscretion of their language or conduct; but he maintained, that such indiscretion should not influence the judgment of the House upon the present occasion. For the question for the consideration of the House was, not what might be the gratitude of any of those who were to receive, but what it was due to justice to give. Therefore the intemperate language of individuals should have no weight upon the decision of the House on this motion. The arguments and the statements of the last speaker, who was so decidedly hostile to the Catholic cause—who was so wedded to things as they existed—might be very impressive upon those who thought with him; but in his mind they had no bearing upon the real merits of the present question. According to that right hon. gentleman it would be derogatory to the dignity of Parliament, while it would not tend to satisfy the feelings of the Catholic body, to accede to this motion; but he decidedly differed from that right hon. gentleman. For if, even upon his own statement, the Catholic people were under the influence of agitators, the best mode of taking them out of the hands of those agitators would be to prove, on the part of Parliament, a disposition to consider the claims and to redress the grievances of that body, especially as the object of the petitioners was to remove complaints in which the Catholic people could have no other interest than that which they felt towards the higher orders, whose gratitude could not be questioned if reasonable concessions were granted. On these grounds he trusted that the House would decide in this case rather from judgment than feeling, without reference to the irritation on either side; and that the Catholic body, evincing an inclination to sacrifice whatever was not essential to their doctrines, in order to conciliate their Protestant brethren, an arrangement would take place satisfactory to all parties. It would be recollected, that in going into the proposed committee the House would not stand pledged to the Resolutions brought forward by his hon. friend, or to any other course of proceeding, it being competent to any member to propose any measure he might think proper; and under such circumstances he hoped that the proposed committee would be acceded to. If not, he could not help thinking that the House would be betrayed into the abdication of a great and important public duty.

Mr. *Bathurst* defended the line of conduct adopted by his right hon. friend (Mr. Peel), from the animadversions of the last speaker, and strongly objected to the mode pursued by the hon. baronet who had introduced the question. It was the first time he recollected the introduction of a proposition of this kind, by producing to the House a series of resolutions, not for their consideration, but for their unqualified approval. To add to this inconsistency, they were called upon to go into the proposed committee, not to acquiesce in the *sine quâ non* of the petitioners, but to see how far they could deviate from it. He was quite hostile to such a course of proceeding; for instead of tending to conciliate those in whose behalf the proposition was urged, it would only lead to their further irritation. Nor would he ever concur in any measure of this description, until the respectable class of the Roman Catholics stepped forward to rescue themselves from the thraldom of those who were meeting with an avowal of ingratitude, the interposition of the Legislature in the adjustment of their claims. With respect to the argument of securities, an extraordinary position had been taken by the supporters of the motion—that securities were best obtained by requiring none. As to the reasons for going into a committee, which were adduced by those who professed to disapprove of the Resolutions of the hon. baronet, he could not comprehend the ground of such reasons; for if it were proposed to substitute any other Resolutions, why not bring them forward at once, and make them the subject of a distinct motion? which would be a more parliamentary mode of proceeding, than to resolve into a committee merely for the purpose of negativing the objects upon which the proposition before the House was submitted. The opinions which had been publicly expressed by the Catholics, he was of opinion proved to demonstration, that the course now recommended, would not be the means of conciliating them, and of terminating the existing differences. The minor grievances of the Catholics ought not to be made a pretext for going into the committee. To go into a committee on the Catholic claims at present, would be to waste the time of the House; for as the former Bill had not proved satisfactory, there was no reason to suppose that the one which the hon. baronet wished to bring in would be more successful.

Lord *Binning* said, he would not enter on the general question of the claims of the Catholics, but should vote for going into the committee, though he might there vote against every one of the Resolutions. If he were to narrow his view of the subject to the consideration of the conduct of individuals of the Catholic body, instead of looking to the general merits of the question, it was probable that he should come to the same decision that his right hon. friend (Mr. Peel) had come to on the historical statement which he had submitted to the House. He much regretted the course taken by his right hon. friend in deciding against the prayer of the Catholics, on the grounds upon which he had acknowledged that decision to rest. For himself, he did not feel that he had any thing to do with what any factious speeches which Mr. O'Connel or Dr. Dromgoole might have made. Whatever their conduct had been, it ought not to affect the general question. If ever a question had gained by discussion, this had. He thought the destiny of the Roman Catholics of Ireland, had been left in their own hands. Had they felt grateful to that House and to their firm and venerable friend (Mr. Grattan), they might now have been in a different situation. He regretted (the hon. baronet would forgive him,) that the petition of the Catholics had not been entrusted to the same hands which had been so long charged with it, and he lamented to find it wanted a number of respectable names which had been always attached to it before. He objected to the Resolutions, as descending to minor objects, with which it was not before thought advisable to encumber the great measure of Catholic emancipation; and he also objected to them because they contained not one word which went to give security to the Protestant establishment. There was nothing in the oath now proposed to that effect, as there was in that brought forward two years ago; and he, for one, was of opinion, that the Catholic who would not take an oath to support the existing establishment, ought not to be entrusted with political power. He was not very sanguine as to the result of this day's debate, but he should sit down satisfied that the day was not far distant when the decision of Parliament would unite all classes of his Majesty's subjects, and bury past differences in oblivion.

Mr. *Bankes* commented with some severity on the Resolutions of the hon. baronet, which in Ireland had been published in the form of a bill, and which it appeared the hon. baronet had not brought forward of himself, but had received them from a body of men whom he believed to represent a large portion of the Roman Catholics of Ireland. He saw no prospect of conciliatory measures being successfully pursued, seeing that the Roman Catholics required the surrender of all they wished to obtain without offering any security in return. Till the Church of Rome adopted a different mode of treating those who might be considered as heretical from that which had been hitherto pursued, he was of opinion that the Catholics could not be entrusted with political power, without an apprehension that they would attempt to use it for ulterior purposes. He thought nothing farther ought to be done with respect to the Catholic claims, till they came forward with those securities which might satisfy the Protestants. Till this was done, it was not too much for the House to say, that it would not proceed one step farther in the business. Until that time should arrive, Parliament could not consent to invest that body with political power. Those who professed the established religion had a right to say, We cannot give you an extension of privileges, unless you are willing to give us securities. Some of the most intelligent men in the country had endeavoured to form something tending towards satisfactory security; but that which we looked upon as a panacea had been treated by the Catholics as an abomination. Under all the circumstances, seeing no prospect of a final and conciliatory arrangement with the Catholics, seeing that the Resolutions were not the work of the hon. baronet, but had been put into his hands by certain individuals in Ireland—seeing that they had not the concurrence of those respectable persons who had usually been the advocates of the Catholics on former occasions—and not seeing that any beneficial result could be expected from the course now recommended to the House, he hoped the motion would be thrown out by a large majority.

Lord *Castlereagh* said, that it was not his intention to occupy the time of the House at any length; but he could not consent to suffer the present question to go to a vote, without stating the precise view which he entertained of it. It was his solemn conviction, that in bringing it forward in the manner it was now produced, the ultimate success of the measure would be rather retarded than advanced. His opinions upon the subject were in no degree varied from those which he had pronounced on former occasions; and he was thoroughly convinced, that any measure of concession, unless founded upon the general and comprehensive principle heretofore discussed and admitted, would fail in all those conciliating qualities which it was so essential to regard. With respect to the manner in which the intentions of the Legislature, during the last session, were met by the Catholics of Ireland, he had no hesitation in saying, that if the ultimate decision of the question depended upon his individual judgment, he should not discourage the giving effect to that measure, even though it were met on the part of the people of Ireland, by the most extensive dissatisfaction. He did not conceive that on any great measure of state, the people were generally qualified to estimate its fitness or propriety at the moment of adopting it, when their passions and interests were strongly excited or alarmed. When, therefore, he looked to the speeches of the individuals in Ireland, who now managed the affairs of the Catholics, and when he looked to their conduct, he might regard them as obstacles to the immediate accomplishment of measures of general relief, but certainly not as containing in them any thing dangerous. He had always been of opinion, that the question of concession, if granted with those securities which were essential to it, would never confer upon the Catholics that quantum of power which could render it dangerous to admit them into the constitution. As to the present moment, however, in which their claims were brought forward, it was impossible to observe the studied pains that had been taken to withdraw their petition from the hands of one who had conducted their cause through all the conflicts and enmities of party, with a judgment, a temper, and a moderation that had won the homage of all sides, however opposed in their views, without feeling that the measure now introduced, was distinctly meant as a measure of contrast, to that which Parliament had sanctioned in principle during the preceding session. They now solicited unqualified admission into the Constitution, and claimed it as a matter of justice at the hands of the Legislature; and regarding that as the only object of their petition, he certainly was anxious that the committee should be granted, if it were only that an opportunity might thus be afforded of pronouncing distinctly the sense of Parliament on that subject; and, that the Catholics themselves might be taught, if they again applied to Parliament, that tone of moderation which could alone insure to them the ultimate object of their wishes. He did not consider himself, therefore, as acting with any inconsistency in voting for the committee, though he should feel it his duty in the committee to mark his most decided opposition to unqualified concession. Nor should he feel himself called upon either to modify the propositions of the hon. baronet, or to submit any others of a different description; for, unless the Catholics greatly altered their conduct, he was persuaded that, instead of this country becoming more inclined to conciliate them, the question would lose ground by repeated discussion. He had thus briefly stated his present opinions upon the subject, and should abstain from going into any general view of its merits.

Mr. *Whitbread* said, he concurred with the noble lord in his opinion that a committee would be desirable, though there were many of the propositions against which he (Mr. W.) should vote; but he must think that if the committee were granted, it ought to do something else than merely to negative the wishes of the Catholics for unqualified concession. The hope of qualified concession, of concession with such securities as were thought necessary, had been strongly nourished in his mind, after the proceedings of the session of 1813, when that bill emanated from the committee, and when the first clause of it was lost only by a majority of four:

from that moment he considered the principle as carried; but he now observed, with the deepest regret, that the day of emancipation, instead of approaching nearer, was receding from their view. Why did the noble lord now speak with despondency upon the subject? because things had occurred in Ireland which took away from the friends of the Catholics, and from the Catholics themselves, that sanguine expectation of success which they before entertained. For himself, he could set at naught all the violent and idle speeches made against members of that House; but when he found that they have defeated themselves by their conduct, he could not overlook or fail to lament such conduct. At the same time it might be observed, that the conduct of Mr. O'Connel in Ireland had been exactly the same as that of the right hon. Secretary (Mr. Peel), who, by all kinds of exaggeration, endeavoured to aggravate the Protestants, as Mr. O'Connel, by exaggeration, thought to inflame the Catholics; and if the noble lord could sit patiently and hear such language from the right hon. Secretary, he must say, that there appeared as little hope of conciliation on one side as an the other. But there was a gentleman who, in all former discussions, had occupied a very prominent part in the debate, whose name had not even been mentioned that night, to his (Mr. Whitbread's) very great surprise; not a word had been said about the Pope, the terrible Pope, Buonaparté's Pope, the Pope who was to have been met by an Irish Pope at Ballyshannon. [A laugh]. And why was that gentleman totally forgotten? Because he had not been found what was expected; because he was the mere tool of Buonaparté. The course of the Catholics since 1813 had certainly been a bad one; and if any one part of their conduct was more marked by want of judgment than another (he spoke without the slightest disparagement of his hon. friend), it was removing their Petition from the hands in which their cause had been so long sanctified. [Hear, hear!] Still, however, in determining upon the simple question, whether they should go into a committee, he would say aye, not because the hon. baronet had a string of propositions to submit, but because there were concessions which might be made in that committee, that would do much towards conciliation. The army, the navy, and the bar, in the opinion of those who were decidedly hostile to unqualified concession, might be thrown open to them. It had been said, also, that they might be allowed protection both in the army and navy in their religious worship. And were those things nothing? Did they not constitute a boon which the Catholics might be happy to receive, and which the Legislature ought to be desirous to grant? Were they to vote for the committee, like the noble lord, expressly for the purpose of negativing that which all agreed might be conceded, because Mr. O'Connel made violent speeches, which were in truth quite unimportant, or because Dr. Dromgoole made speeches not only violent, but absurd? He hoped he should live to see the day when the present conductors of the Catholics would be removed, or, if not removed, that they themselves would change, return to a sound discretion, and choose their former leader. [Hear, hear!]. He should most heartily vote for the motion, as being the only course, under present circumstances, which afforded any prospect of success; but had he been asked whether this year or the next, or what period would have been best for bringing the subject forward, his answer would have been—ask Mr. Grattan.

Mr. *Wellesley Pole* said, it was not his intention to trespass long upon the attention of the House; but under all the circumstances of the case, he felt it impossible to give a silent vote upon the question. In explaining the grounds upon which he should vote that night, it was necessary to define accurately what the question was upon which they were then called upon to decide. The House was not then called upon to concede the claims of the Catholics, or to determine to what extent concessions ought to be granted, but merely to refer the Petition to the consideration of the committee. The hon. gentleman who had just sat down, had, in his opinion, put the question upon its proper footing, and he should follow that example, and confine himself strictly to the question, Whether this Petition ought or ought not to be referred to a committee? Retaining, as he did, the opinion he had formerly expressed with respect to the claims of the Catholics, he was decidedly of opinion that the motion of his hon. friend (sir H. Parnell) ought to be agreed to; but, on the other hand, he desired to be distinctly understood, that, in giving that vote, he by no means pledged himself to support the propositions of his hon. friend. If he thought that such an inference could be fairly drawn from his vote, he should undoubtedly oppose the committee. After the fullest and most mature consideration he could give on the subject, he was convinced that the Bill brought in in a former session by his right hon. friend (Mr. Grattan) contained all the concessions that could be fairly claimed by, or safely granted to the Catholics; and to the extent of the concessions contained in that Bill he was always ready to go. He could not help expressing, however, his regret at the manner in which the subject had now been brought forward. It was not necessary for him to say, that by that expression he meant no disrespect to his hon. friend (Sir H. Parnell), for whom he entertained the highest esteem and affection; but still he could not but lament that he had undertaken to bring forward the Petition under such circumstances. Indeed, he should always consider it as a misfortune to all parties to have the subject taken out of the hands of his right hon. friend (Mr. Grattan), who had hitherto supported it with so much eloquence, moderation, and wisdom, and under whose auspices it had the greatest chance of success.—Though he did not think this the proper time to enter into a discussion upon the general subject, yet he could not help observing, that his right hon. friend near him (Mr. Peel) had not been very fairly or candidly treated in the observations which had been made upon his statements respecting the Catholic Committee. His right hon. friend had merely repeated their own language, and if the repetition of their own words had the effect of a severe censure upon that body, the fault undoubtedly rested with those who originally used them; knowing, as he did, the nature and construction of that committee, he certainly did not think his right hon. friend liable to any animadversion for what he had said; on the contrary, he might, he was convinced, have gone a great deal farther, without being liable to the charge of exaggeration. He had, upon former occasions, been under the necessity so fully to express his opinion to the House respecting that body, that it was unnecessary for him now to enlarge upon the subject. He had always considered it as a dangerous assembly; it consisted of several hundred persons selected from all the different ranks of the Catholics; they met once a week, or oftener; they aped all the forms, and tried to assume the powers of a convention representing all the estates of the Catholics; it became, therefore, absolutely necessary for the public tranquillity, that they should be suppressed. As for the body which now met under the name of a Board, he did not consider it as being important or dangerous; the most respectable of the Catholics had withdrawn from it, and the board now consisted only of a few factious individuals meeting in obscure places, and forming an object rather of contempt than of apprehension. But it had always appeared to him the greatest possible injustice to the Catholic body at large, to suppose that their sentiments were spoken by the Catholic Board. From every inquiry which he could make, (and his means of information were pretty extensive), he was convinced that a large majority of the Catholics of Ireland highly disapproved of the violent and intemperate proceedings of that board. He lamented most sincerely that the Bill brought forward by his right hon. friend (Mr. Grattan) had not passed; because he was convinced that, notwithstanding the declamations of the Catholic Board, and opinions expressed by the Catholic prelates, it would have given satisfaction to the great mass of the Roman Catholics of Ireland, who would, at this moment, if his right hon. friend had succeeded, have been gratefully and tranquilly enjoying the boon granted to them by the Legislature. The failure of that Bill had again enabled the Board to raise its voice; but no intemperate language which it might use, no threats which it might throw out, would have the slightest effect in inducing that House to withdraw its attention from the claims of the Catholics. He trusted that the House would let the Petition go to a committee, not pledging itself to agree to the whole or any part of the Resolutions, but for the purpose of giving the question that mature consideration which its importance deserved.

Sir *N. Colthurst* supported the motion for going into a committee, and argued against those who maintained, that unless the House went the whole length of the Catholic demands, they would effect nothing.

Mr. *Vesey Fitzgerald* said, he should detain the House very shortly, but that on a question affecting so deeply that country to which he was bound by every tie of private affection, by every public obligation also, he could hardly give a silent vote. He felt not now that pleasure which the hon. gentleman (Mr. Whitbread) had described himself to feel—on the contrary, he came to the consideration of the motion of to-night, not only with painful reflections on much of what had passed, but without any of those animating anticipations of success, by which, two years since, the advocates of the Catholic claims had been cheered and sustained. He, too, should vote for the committee, and with sentiments similar to many of those who, in preceding him, had explained the grounds on which they gave that vote; but as he did not expect to arrive at that point which his noble friend (lord Castlereagh) did, as he hardly hoped from the manifested disposition of the House, and the course which the debate had taken, that they should get into that committee, or that he should have an opportunity of protesting against the intended Resolutions of the hon. baronet, he wished to guard his vote against the suspicion that he ever could be the advocate of unqualified emancipation. Who was there, even amongst its advocates, who could hope to obtain it? He would go into the committee pledged to the principle only—whatever might there be offered most resembling the Bill of 1813, was that which he should approve the most. No man was now desired to do more than to accede to the principle, and it was idle perhaps to protest against being understood to be pledged to more. Above all, he must deprecate, however, the decision to which the House was about perhaps to come, as being deemed in any respect to be formed on the main principle of emancipation, or on the merits of this great question—the House could not separate, in its consideration, the question itself, from the circumstances under which it was submitted. He lamented those circumstances as much as any man—he lamented that the splendid services of years had been forgotten, and he feared that the Catholic cause would long have to lament also, that it had been placed in other hands than those of the right hon. gentleman who had for so many years fought the battles of his country. If, Sir, (concluded Mr. Fitzgerald) that distinguished person could find consolation in any circumstances which had diminished the favour with which the claims of the Catholics had been entertained by Parliament, he might find it in the grateful and unanimous tribute which has been paid to his judgment, his moderation, and his unquestioned patriotism. I give my vote, then, for going to-night into this committee. I give it in consistency with my former opinion, and in the hope of better times—of those times, when the question may again come forward under the auspices of him, who has before carried it so near to its consummation, and for whom its accomplishment is yet reserved; for I do feel within me, Sir, that it is reserved for him, ere long too, to achieve a measure which will conciliate the Irish people, which will give to the empire the best confirmation of her strength, and to its illustrious author an imperishable fame.

Mr. *Huskisson* lamented, in common with all who had spoken on the subject, the conduct and the language of the Catholics of Ireland—conduct and language much more calculated to retard the attainment of their object, than the arguments of those who conscientiously opposed their claims. He should certainly, however, vote for the committee; because when any considerable portion of his Majesty's subjects came to Parliament, complaining of privations and disabilities, he, for one, would never oppose the consideration of their grievances. At the same time he wished it to be distinctly understood, with reference to the Resolutions which had been proposed, that neither on this nor on any other subject, he hoped the House of Commons would allow itself to be dictated to.

Mr. *Grattan* rose and said:—Sir; Exhausted as the subject is, I trust that the House will allow me to trouble them with a few sentences. I do not wish to give a silent vote upon the question, particularly circumstanced as I am with respect to it. I shall certainly vote for going into the committee, on the principle which has been so generally stated this evening; that the only thing we have at present to determine is, whether or not the Catholic question shall be taken into consideration. But in giving this vote, Sir, I by no means pledge myself to the support of the Resolutions which my hon. friend has exhibited. Further, I must say, that for some of those Resolutions I cannot vote. I beg leave to observe, in considering the Catholic question, that it is not sufficient to dwell merely on what may be strictly and absolutely necessary—some regard ought to be paid to the feelings of those by whom that question is to be determined. I have no hesitation in saying that I condemn (I am sorry if I give offence to persons who are of a different opinion,) but I condemn the application for unqualified concession. The knowledge I have of the sentiments of this House convinces me that such a proposition will not pass. When the petitioners desire emancipation without any conditions, they desire two things—they desire emancipation and then they desire that it may not be granted, because the annexation of no conditions must render the grant in this House impossible. I should therefore have flattered the Catholics had I told them they were entitled to expect a decision in their favour, because I know that under those circumstances that cannot be. I wish to support, and I mean to support the Catholic question with a desperate fidelity—if I may so express myself. I use the word 'desperate', not with reference to any disposition on my part to sacrifice a single principle of good government, or a single necessary security on that question, but because to my fidelity I cannot promise success. Sir, unless the Catholic body pursue a conciliatory line of conduct—unless they come to this House, not with a silent and implied, but with a declared attachment to the vital principles of the constitution, they will not succeed. I have told them before, and I now repeat it, that unless they adopt a spirit of conciliation, they will never succeed. I will say further, that conciliation is not only necessary to their interest, but essential to their duty, both to the state and to one another. If Catholic emancipation should not finally be carried, it will be owing, not to the want of candour and consideration on the part of the Legislature, but to the want of prudence and discretion on the part of some Catholics, who do not assist the Protestant friends of their cause by expressing their ready concurrence in the adoption by Parliament of such securities, as to their feelings may appear necessary, and which at the same time may not be inconsistent with the Catholic religion. Unless they do this, they will fail in their efforts, and their failure will be solely attributable to their want of discretion. Sir, I have an ardent love for the Catholic body. I do not ascribe the errors of some individuals to the body at large. But I once more say, that unless they adopt a spirit of conciliation, they have not the smallest chance of success. I will trouble the House no further. In voting for the committee, I do not pledge myself to support all my hon. friend's Resolutions, but only some of them. Should the House go into the committee, I shall again express those sentiments on this important question, which have been already registered, and which remain unchanged.

Sir *Henry Parnell* made a short reply, in which he contended, that the discussion of the subject must be serviceable, and that, as a member of parliament, it was his bounden duty to lay the case of the Catholics before the House. He urged the House to consent to the committee, and expressed his conviction that he should be able in that committee to explain his Resolutions in a way that would be thoroughly satisfactory.

The House divided:

For going into a Committee... 147
Against it 228

Majority 81

List of the Minority.

Abercrombie, hon. J.
Acland, sir Thos.
Althorpe, viscount
Anson, G.
Baillie, James E.
Bagwell, rt. hon. W.
Buller, James
Buller, sir E.
Buller, Anthony
Barham, J. F.
Barnard, viscount
Bective, earl of
Bennet, hon. H. G.
Brand, hon. T.
Browne, rt. hon. D.
Browne, Dominick
Butler, hon. J. W.
Butler, hon. C.
Byng, George
Binning, lord
Bewicke, C.
Blake, Valentine
Calvert, Charles
Carew, R. S.
Castlereagh, lord
Crosbie, James
Cavendish, lord G.
Chaloner, Robert
Colthurst, sir N.
Calcraft, John
Cocks, James S.
Canning, George
Courtenay, Thos.
Courtenay, Wm.
Duncannon, visc.
Don, Alex.
Dovcton, gen.
Dundas, hon. L.
Dufferin, lord
Douglas, hon. F. S.
Elliot, rt. hon. W.
Ellison, Cuthbert
Evelyn, L.
French, Arthur
Fazakerley, J. N.
Fergusson, sir R. C.
Fitzgerald, rt. hon. V.
Fitzroy, lord C.
Fitzroy, lord J.
Flood, sir Fred.
Forbes, Charles
Forbes, lord
Frankland, Wm.
Folkes, sir M.
Finlay, K.
Glerawley, viscount
Grattan, rt. hon H.
Greenhill, R. R. M.
Grenfell, Pascoe
Gordon, Robert
Guise, sir Wm.
Grant, C. junr.
Grant, J. P.
Graham, Sandford
Halsey, Joseph
Hanbury, Wm.
Hammersley, Hugh
Heron, sir R.
Hornby, Edmund
Horner, Francis
Hurst, Robt.
Huskisson, rt. hon. W.
Horne, W.
Latouche, R.

Law, hon. E.
Leader, W.
Lewis, Frankland
Littleton, E. John
Lyttelton, hon. W. H.
Lloyd, M.
Madocks, Wm.
Manning, Wm.
Marryat, J.
Martin, J.
May, sir Stephen
Meade, hon. J.
Milton, viscount
Monck, sir C.
Montgomery, sir H.
Moore, Peter
Morland, S. B.
Mahon, hon. S.
Napier, Jas.
Newman, R. W.
Newport, sir J.
North, D.
Nugent, lord
Odell, Wm.
Ogle, Henry M.
Owen, sir John
Osborne, lord F.
Palmerston, visc.
Pierse, H.
Pelham, hon. C.
Pelham, hon. G.
Philips, G.
Pringle, sir W.
Piggott, sir A.
Pole, rt. hon. W. W.
Ponsonby, rt. hon. G.
Poulett, hon. W. V.
Power, R.
Prittie, hon. F. A.
Pym, F.
Quin, hon. W.
Ridley, sir M. W.
Rowley, sir W.
Russell, lord W.
Romilly, sir S.
Rashleigh, Wm.
Scudamore, R. P.
Sebright, sir John
Sheldon, R.
Smith, S.
Smith, John
Shaw, Benj.
Smith, R.
Smith, Wm.
Smyth, J. H.
Somerville, sir M.
Stanley, lord
Stewart, hon. Jas.
Stewart, sir J.
Talbot, R. W.
Tierney, rt. hon. G.
Tighe, Wm.
Tavistock, marquis
Vernon, Gran.
Walpole, hon. G.
Wellesley, Richard
Wharton, J.
Whitbread, Sam.
Wilkins, W.
Wood, Thos.
Wynn, Charles
Wrottesley, Henry
Wise, A.

TELLERS.

Parnell, sir H.
Fitzgerald, rt. hon. M.

HOUSE OF COMMONS.

Wednesday, May 31.

ROMAN CATHOLICS OF IRELAND.] Mr. *James Daly* presented a Petition from the Catholics of the county of Galway, praying relief, and regretted that the decision of last night had been so unfavourable to the wishes of the petitioners. Having been so unfortunate as to have been shut out of the division last night, he took this opportunity of stating his entire concurrence with the motion of the hon. baronet, being fully convinced that unless we put the Catholics of this empire on a footing of equality with their Protestant fellow subjects, we should want that cordiality which was so necessary to the prosperity of the two countries.

MONUMENT TO SIR EDWARD PAKENHAM.] Lord *Castlereagh* rose to request an hon. general to postpone his motion for the erection of a monument to the memory of the late sir Edward Pakenham. It has been communicated to Government, that there did exist precedents closely applicable to this case; and provided that point were ascertained, there could remain but one sentiment with respect to the merits and character of that gallant officer. It had already been a sufficient mortification to Government to appear in any way opposed to the suggestion of that honourable tribute; but their only motive had been an apprehension that they might be opening too wide a door, and to be agreeing in one instance to what their public duty might render them unable to accede to in others.

General *Gascoyne* declared, that his only object had been to do justice to the distinguished merits of as gallant an officer as had ever fallen in the service of his country. He had no objection to defer his motion, and doubted not that he could satisfy the noble lord, that his motion was strictly justified by precdent.

MOTION RESPECTING THE COMPENSATION PAID BY THE BANK FOR STAMPS.] Mr. *Grenfell* rose to move for certain Papers, to elucidade the transactions between the public and the Bank of England, with respect to the stamps on the bills and notes issued by them. A compromise had, as was well known, been entered into with the Bank. The reason, and the only reason, for this indulgence granted to the Bank of England, was the practice which they had been in for a considerable time past—a practice to which he had no objection—of cancelling all their bills and notes the moment they were returned. With this arrangement, or any other which had a tendency to promote the fair profits of the Bank of England, it was not his intention to interfere, so long as their profits were not all at the expense of the public. He wished to be allowed to make one or two observations on the different agreements which had been entered into. The first agreement was made in 1791, and the sum agreed to be paid as a composition for the duty on stamps was 12,000*l.* per annum. At that time, as the House were aware, the Bank paid in specie, and no notes under 5*l.* were issued. The whole amount of paper in circulation, in 1791, was between 10 and 11,000,000*l.* On this agreement they went on till 1799. During the interim, several additions had been made to the Stamp-duties, without any addition having been made to the compromise on that account. In 1799, when the Bank first issued 1*l.* notes, a duty of 2*d.* for each note, or 2*d.* a pound was added. By the Act of 1799, 39 Geo. 3, cap. 107, it was enacted that the composition, in consequence of the increased duties, should be in future 24,000*l.* In this 4,000*l.* was put down for the notes of twenty shillings, and 8,000*l.* for the different duties enacted between 1791 and 1799. In 1804 an addition of 50 per cent. was imposed on the 1*l.* notes. At that time the circulation of the Bank had increased four millions and a half; but notwithstanding this great increase in the circulation, the addition to the composition was not even in proportion to the 50 per cent. on the 1*l.* notes, and no notice was taken of the addition to the circulation in the mean time. In 1808 another great addition was made to the stamps on bills of exchange and notes. An addition to the composition was made in proportion to the Stamp-duties, but taking no notice of the increased circulation. It did appear that in every agreement which had been entered into with the Bank for the last 20 or 30 years, a most undue advantage was given to the Bank of England at the expense of the public; and that this composition in lieu of stamps was only one of many instances in which the public had been injured. They had not only in some instances failed to increase the composition in proportion to the increase of stamp duties, but they had also paid no attention whatever to the progressive increase in the Bank's circulation. In 1791 the circulation was from 10 to 11 millions. When the second was imposed in 1799 it was 12 millions—in 1804 it was 17 millions—last year it was increased to the enormous amount of 30 millions—and at the period he was speaking the average was 27 millions. Here they had an increase of from 11 to 27 millions, without any addition to the composition from this increase in the circulation. He wished to suggest an annual account, in which should be stated the whole amount of the circulation in paper of all descriptions, arranged in classes, according to the different rates of Stamp-duties. The House would then be enabled to judge what the composition of the Bank of England ought to be, without any injustice on either party. The two papers he should therefore move for were—1st. An Account of the Bank of England paper of all descriptions, arranged in classes, according to the different rates of duty corresponding to them. The want of such accounts as that now moved for had been the cause of a loss incurred by the public, and an improper gain made by the Bank, amounting to hundreds of thousands of pounds [Hear, hear!] He saw his hon. friend, the Governor of the Bank, smile at this;—he was ready to go into the proof of his assertion with his hon. friend, or any director or member who might be disposed to question its accuracy. This was the result of calculations made on the papers now before the House, and he would pledge himself for their accuracy. The duties on nine millions, which was the amount of 1*l.* notes in circulation, alone amounted to 150,000*l.* The calculation he had made upon the subject showed, that on the three last years the sum which the Bank ought to have paid as a compensation for the non-stamping of their notes was 300,000*l.*, which, divided by three, gave 100,000*l.* per annum. What did the Bank in fact pay? only 42,000*l.*, consequently they were clear gainers out of the public purse to the extent of 58,000*l.* per annum. To that was also to be added the sum that would be produced by the stamps upon notes above 20*l.* in value (for the estimate he had made above only referred to those of minor amount), as well as the further revenue that would be derived from Bank post-bills, which were likewise not taken into the account. He should not have the least objection to the Bank deriving this advantage, if the public was, in any respect as important, gratuitously served by the Bank; but when he saw that the nation paid so exorbitantly already for the duties performed by that establishment, he must put it to the Governor of the Bank and the Chancellor of the Exchequer, whether they could expect that the oppressed people should make so large a sacrifice, to swell still more the treasures of a wealthy corporate body? He moved, therefore, for an Account of the amount of Bank-notes in circulation on the 1st and 15th days of each month, from the 1st of June 1814, to the 15th of May 1815 inclusive, distinguishing the amount of notes under the several classes. Also, a similar Account of the amount of Bank post-bills in circulation on the 1st of July 1814, 1st of October 1814, 1st of January 1815, and 1st of April 1815.

Mr. *Mellish* adverted to the time that would be taken, and the trouble given in making out the accounts required. The

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roughly to investigate the subject might probably occupy a clerk for six months. He had endeavoured to prevail on his hon. friend not to bring this motion before the House; but as he had not been able to succeed in that, he despaired now of inducing him to change his determination, and therefore would not take up the time of the House by going into the question. He regretted the course which the hon. gentleman had thought it his duty to take, from a persuasion that he (Mr. Grenfell) understood the business of the Bank company better than they understood it themselves.

Mr. *Tierney* said, that if one clerk could make out the return in six months, twelve clerks would be able to prepare it in a fortnight. It might cost the Bank trouble, but it would save the public 58,000*l.* a year. Did the Governor of the Bank mean to throw himself on the mercy of the House not to press a motion that would require time for compliance with it?

The *Chancellor of the Exchequer* did not mean to oppose the present motion, but desired to guard against its being supposed that he would feel it his duty, in his official situation, to grant further papers on the same subject. He could not agree with his hon. friend in the view which he had taken of it.

Mr. *Mellish*, though he disapproved of the motion, did not mean to divide the House on it.

Mr. *Ponsonby* thought the public ought to be protected by Parliament as well as the Bank, and was of opinion, that the Chancellor of the Exchequer would have done well not to be so much on the alert in announcing to them that he should not be disposed to give further information. Before he endeavoured to guard himself in this respect, he might have waited till the papers now called for had been produced.

The *Chancellor of the Exchequer* had only wished it should be understood that he disagreed with his hon. friend (Mr. Grenfell) on this subject, though he did not oppose the present motion. He did not consider the Bank ought to pay more than it had done up to the present time.

Mr. *Grenfell* did not pretend to understand the business of the Bank so well as its governor; but he moved for the papers now under consideration, that he might better comprehend the nature of the dealings between the Bank and the Government. The House ought not to be kept in ignorance upon the subject. What had fallen from the Chancellor of the Exchequer was rather alarming, namely, that he would act upon no other principle towards this body than that which had hitherto guided his dealings. Another mode of composition ought to be adopted, especially at a moment when the Stamp-duties were to be augmented 50 per cent. Should the Chancellor of the Exchequer, on any future occasion, bring forward arrangements upon the old system, he should feel it his duty to take the sense of the House upon them on every occasion that was afforded.

The question was then put, and the motions were agreed to.

Mr. *Grenfell* then moved, "That this House will, upon Wednesday next, resolve itself into a Committee of the whole House, to take into consideration the rate of composition paid by the Bank of England to the public in lieu of Stamp-duties on their Bank-notes and post-bills."

The *Chancellor of the Exchequer* said, that if the hon. gentleman meant to give notice of a motion on the subject, when the day arrived, he should have no objection to the question being entertained; but if he intended now to press the motion, he would oppose it on this simple ground, that it was much too important thus to be brought before the House without a notice being previously given.

Mr. *Tierney* thought, unless the Chancellor of the Exchequer had some doubts on his mind as to the course which it might be proper to pursue, there could be no good reason for delay. His hon. friend was anxious to lose no time in bringing under the consideration of the House what appeared to him a case of monstrous injustice; inasmuch as while ministers were imposing new taxes upon others, the Bank was exempted from the imposts to which it was justly liable.

Mr. *R. Ward* said, that as no previous notice had been given of a motion so very important, he should certainly oppose it.

The *Chancellor of the Exchequer* did not think it just in the House to revise a bargain concluded between the Government and the Bank.

Mr. *Horner* was much surprised at the opinion expressed by the Chancellor of the Exchequer; for when the right hon. gentleman came to the House to require an increase on the Stamp-duties, if, at the same time, the composition with the Bank were increased, it could not be esteemed a revisal of the bargain, but a new composition, proportioned to the increase of the Stamp-duties.

Mr. *Baring* said, that the Bank never would refuse to pay what the Legislature might deem just and expedient; but he hoped when the question came to be considered, that it would be entered upon with a better temper, and a more conciliating spirit than the frequent attacks made on it by his hon. friend (Mr. Grenfell) would seem to indicate. The House was then called upon to bind itself to an examination of the composition, without having, as was acknowledged by the hon. member, any information on which they could form a correct decision.

Mr. *Grenfell* was anxious that all the information should be laid before the House, that it might be satisfied as to the correctness or incorrectness of the principle of the agreement with the Bank of England. In his opinion, under the new Stamp-duties it ought to pay three times the sum it now gave as a composition for stamps. The correct principle was this—that the Bank of England should pay, as a composition, as much as the sum it would pay for stamps amounted to, were they required to be affixed to their notes. The sum now paid was 58,000*l.* short of what it ought to be; and he had been long convinced that most undue advantages were given to the Bank in the bargains made by the minister. For this reason he had so often troubled the House upon this question.

Mr. *Forbes* said, that country bankers complained that they paid 6*d.*, where the Bank of England only paid one farthing.

The gallery was then cleared, and a division took place: For the motion, 43: Against it, 63: Majority, 20.

MOTION RESPECTING THE APPLICATION OF £.100,000 GRANTED FOR THE OUTFIT OF THE PRINCE REGENT.] Lord *Althorpe* felt that, in rising to call the attention of the House to the motion he was about to make, he ought to intreat their pardon for having undertaken a question of such weighty importance. He had hoped that it would have been undertaken by some person of talents more commanding than he could boast; but thinking it a case which could not be neglected, he trusted that the House would meet his exertions with indulgence. He felt how unequal he was to the task; but the question lay in so small a compass, and was in its nature so plain and so distinct, that he thought it impossible he could express himself so ill as not to make it intelligible to the House. The motion he intended to make was, that a committee be appointed to inquire into the mode in which the 100,000*l.* granted by the House to the Prince Regent for the equipment of his Royal Highness, on assuming the Regency, was disposed of. He fancied that he should establish a sufficient ground for acceding to this proposal, if he could show a well-founded cause for suspecting that an act of parliament had been violated, and that, too, in a case of money, on which that House always entertained a just and constitutional jealousy. When his Royal Highness took the Regency under certain restrictions, it was said that he did not wish to accept of any money for an outfit; but in the following year, on the expiration of those restrictions, ministers came down to the House, requiring 100,000*l.* for that purpose. General resolutions were at first proposed, and afterwards, in the committee of supply, others were agreed to of a more particular nature. An act of parliament was then passed, assigning that sum for an especial purpose; and his object would be attained by showing that the money was applied in a manner essentially different from the spirit of the Act. The noble lord then proceeded to argue, that an improper use had been made of the grant. He meant not to press on the House the observations which had been made, when this grant was originally voted. But if nothing was said in the course of the debates on the subject, in the smallest degree recognizing a right to appropriate this money to any other purpose than that for which it was specially voted, he certainly should place some reliance on this negative evidence, in favour of its being appropriated in a particular manner. Nothing appeared in the different discussions, which could for a moment authorize the grant being applied to any other expenses than those incidental to the outfit of the Prince Regent. How, then, was the money laid out? By a paper recently laid before the House by the right hon. the Chancellor of the Exchequer, it appeared, that part of the sum voted by the House, for the mere purpose of outfit, had been placed in the hands of the commissioners for the liquidation of his Royal Highness's debts, and that by them it had been appropriated to the discharge of such burthens as they deemed it proper to remove. Could any person, looking at this fact, deny that the act of parliament had been violated? It was said in answer to this, that the money having been paid, and a receipt given for it, Parliament had nothing farther to do with it—they had no right to inquire into its appropriation. But he denied this principle. He contended, that when the Legislature voted money for a specific purpose, they ought to be well assured that their intentions were complied with. The resolutions of the committee stated, "That a sum not exceeding 100,000*l.* should be granted to his royal highness the Prince Regent, to defray the expenses attendant on his assumption of the regal authority;" and, however that resolution might be quoted as admitting of such an appropriation of the sum granted, as was understood to have taken place, he could not see how it explained away, or trenched upon, the words of the act of parliament. He considered the resolutions (an act of parliament having been subsequently passed on the subject) as nothing more, in point of law, than the debates which had taken place on the question. To place the matter in a clearer point of view, he would put it thus:—Suppose a father allowed his son a sum of money, for a certain purpose, and that he employed it in liquidating debts, of which the donor knew nothing, would that be considered a fair appropriation of the gift? The letter connected with this subject, which the right hon. gentleman had, on a former evening, laid on the table, was dated (and the circumstance was worth observing) on the 20th of May. The answer, from Mr. Gray, was of the same date.* Now, he (lord Althorpe) had given notice of the present motion on the 18th of May, and therefore it would appear, that both the application of the right hon. gentleman, and the answer of Mr. Gray, were the result of that notice. Mr. Gray, in his letter, stated, that the sum of 100,000*l.* granted to his Royal Highness, was placed in the hands of the commissioners appointed, in 1812, for the payment of his Royal Highness's debts; for the discharge of which, certain funds were made over to them; and, amongst the rest, this sum of 100,000*l.* With these sums, it was directed, that all debts contracted up to the 18th of February 1812, should be paid. Of course, this must include every claim which had originated since the year 1795, at which time all the debts of the Prince of Wales were paid by Parliament. In the next paragraph of the letter Mr. Gray observed, that the greater part of the debts to which this sum was appropriated, were contracted in the year of restricted Regency—and this, alone, he (lord Althorpe) considered sufficient to call for parliamentary inquiry. The noble lord opposite (Castlereagh) had, on a former night, stated, that this sum of 100,000*l.* was not to be added to what had been granted for furniture, but ought, in fact, to be deducted from it—but this was directly contrary to what Mr. Gray set forth in his letter, if he rightly understood what that gentleman had written. He did not know whether he had proved, technically, that the sum of 100,000*l.* voted by Parliament, had been misapplied, in this instance; but he thought he had proved, to the common sense of the House, that the Act of Parliament had been violated. He really believed, that, when the vote of 100,000*l.*

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* Copy of a Letter, dated 20th May 1815, from the right hon. Nicholas Vansittart, Chancellor of his Majesty's Exchequer, to Robert Gray, esq. Secretary to the Prince of Wales's Commissioners.

Downing-Street, 20th May, 1815.

"Sir; Having received the commands of his royal highness the Prince Regent, to lay before the House of Commons an explanation of the manner in which the sum of one hundred thousand pounds, granted to his Royal Highness by the Act of the 52d Geo. 3, cap. 7, has been applied; I request you to furnish me with such information as it may be necessary to lay before the House of Commons accordingly. I have the honour to be, Sir, &c. N. VANSITTART."

Copy of a Letter, dated 20th May 1815, from Robert Gray, esq. to the right hon. Nicholas Vansittart; respecting the manner in which the sum of 100,000*l.*, granted to his royal highness the Prince Regent, by the Act of the 52d Geo. 3, cap. 7, has been applied.

"*Somerset-Place, 20th May,* 1815.

"Sir; In reply to your letter, signifying that you have received the commands of his royal highness the Prince Regent, to lay before the House of Commons an explanation of the manner in which the was applied for, it was intended to be appropriated to a different purpose from that to which it appeared to have been directed. For, he was convinced, that any person who looked to the debates of the time, would at once see, that, if the amount of the debts of his Royal Highness had then been laid before the House, provision would have been immediately made for their liquidation. This would have been the wisest and the most constitutional mode. Instead of which, ministers came down, and, having called for a grant of money, permitted it to be laid out in a manner utterly at variance with its original destination. His lordship concluded by moving, "That a committee be appointed to inquire into the application of the sum of 100,000*l.* granted to his royal highness the Prince Regent, by an Act of 52 Geo. 3, c. 7, for defraying the expenses incident to the assumption of the royal authority, and that they have power to send for persons, papers, and records."

Lord *Castlereagh* began by explaining why the letter of Mr. Gray bore date the 20th of May, because at that time it had first been thought proper to embody the information (which had been before contained in a memorandum) in such a shape that it might with propriety be laid before the House. He begged the House not to be misled by that favour which it usually extended to a motion for inquiry, to pass a direct censure on the advisers of the Crown, because, unless a presumptive proof of a breach of the law was made out, the appointment of the committee would be unwarrantable. The breach of law, if it could be made out, would be even criminal; but before the House

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sum of 100,000*l.* granted to his Royal Highness by the Act of 52 Geo. 3, cap. 7, has been applied; and desiring to be furnished with such information as it may be necessary to lay before the House of Commons accordingly; I have the honour to state, that the commissioners appointed by his Royal Highness, under his privy seal as Prince of Wales, dated 11th February 1812, were authorized to ascertain and settle all claims and demands upon his Royal Highness to the 18th day of the same month; for discharging which, there were certain funds made over to them, and amongst others, the before-mentioned sum of 100,000*l.*; but the commissioners were not instructed to observe any particular course in apportioning that sum amongst the creditors, nor was it ever intimated to them by the then Chancellor of the Exchequer, nor by any other person, that a separate account was to be kept thereof, or of the expenses specially incident to his Royal Highness's assumption of the personal exercise of the royal authority.

"The general amount of the claims outstanding on the 18th day of February 1812, comprised not only the greater portion of the expenses that had arisen during the past year of restricted Regency, but also a variety of debts previously incurred for articles actually used or consumed in that same year, and which must then have been provided, if they had not been already in use, or in store; yet the difficulty, and in most instances the impracticability of determining what was to be deemed applicable to his Royal Highness's use as Regent, and what as Prince of Wales, is sufficiently obvious; and indeed it never occurred to the commissioners to attempt any separation of the accounts for that purpose.

"It may be proper to add, that the commissioners are not empowered or authorized to discharge any claims, other than those made up to the 18th day of February 1812; and that the claims then made up included all for which his Royal Highness was in any way answerable. I am, with great respect, Sir, &c.

"ROBERT GRAY,
"Secretary to the Prince of Wales's Commissioners."

Copy of another Letter from Robert Gray, esq.

"In answer to the further inquiry made respecting the application of the sum of 100,000*l.* granted to his royal highness the Prince Regent by the Act of 52 Geo. 3, cap. 7, it is to be observed, that the Prince's commissioners made an early distribution, to the amount of 97,962*l.* 0*s.* 10*d.* amongst upwards of 390 claimants; and that, according to such an investigation, as there has been time for making in that particular, the payments under that distribution appear to have covered debts, incurred within the year of the restricted Regency, to the amount of nearly 80,000*l.*

"ROBERT GRAY,
Somerset-Place, Secretary to the Prince's
26 May 1815. Commissioners."

came to such a conclusion, he should beg leave to make a few observations on the general circumstances under which these questions were brought forward, and the unfair advantage which was usually taken by throwing a general odium upon the administration of this branch of the public service. He should therefore attempt to show, by an account of the revenues which the civil list now enjoyed, and those which had been transferred to Parliament, that the public had not only sustained no loss, but received a material boon and benefit from the manner in which the Civil-list revenue had been settled during the present reign. A bargain had been made at the commencement of the reign of his present Majesty, by which the duties and revenues which George 2 had received, and which would have been continued to his present Majesty if he had preferred that course, were exchanged for a certain revenue. By this arrangement the Crown lost a revenue which might increase according to the general scale of expenditure in the country for a money rent. He should state what the amount of both their revenues had actually been: what he should state would be nothing more than had been laid before the committee in papers, the result of which would be shortly before the House.

Mr. *Tierney* rose to order, and objected to the selection by the noble lord from a paper which had not been granted to the House. The papers in question had been laid before the House for the purpose of being conveyed to a committee up stairs, and his motion for the printing of them had been rejected. The noble lord had therefore no right to make a selection from that which was denied to the House, and of which no member could judge.

Lord *Castlereagh* observed, that if he was restricted from bringing forward any new information, the line of debate would be very much curtailed, as he should be confined to mere matter of historical information.

Mr. *Tierney* said, the noble lord might give any historical information he chose; but he submitted to the Chair, whether any member was at liberty to make use of that information for a parliamentary purpose, which the House had refused itself by its vote.

The *Speaker* said, he knew of no technical rule to prevent a member from making use of any information which he might possess; but the source from which it was derived, or the probability of its correctness or incorrectness, was always open to animadversion.

Mr. *Whitbread* observed, that in the present case there was a vote of the House on the subject, by which it had refused that the specific paper which the noble lord was about to read should be printed, and put within the reach of every member of the House. Whether the noble lord was or was not a member of the committee on the Civil-list, he could not with propriety make use of papers which were unknown to the rest of the House.

Mr. *Bathurst* was surprised that the conduct of his noble friend should be considered out of order, as there could be no practice more universal than that the ministers of the Crown should give statements from documents not known to the House in general. The Chancellor of the Exchequer, for instance, was continually in the habit of reading papers respecting the state of the revenue which were not before the House.

Mr. *Horner* thought the conduct of the noble lord, in reading the paper in question, destroyed that equality which gave the freedom of debate, and which was the foundation of all the rules of order. It was known to every one that a paper of accounts would, with very little ingenuity, present very different views to different minds; and it was an evident contravention of the rules of order, that those papers, which had been refused by two votes, to the members of the House, should be partially read by any particular member who might get possession of them.

Lord *Castlereagh* said, that he should not read any thing, the results of which would not be confirmed by the committee. He did not conceive that he was restricted in his statements to information which was in the possession of the House, because he might save his time, if he could state nothing but that which the House knew before.

Mr. *Whitbread* wished to know, whether the paper the noble lord was about to refer to, was one of those which had been placed on the table, for the purpose of being referred to the Civil-list committee, and which, therefore, was not before the House? If this were the case, he objected to any quotation from it.

Lord *Castlereagh* said, it did not, in the least degree, vary the matter, whether from a paper, or from his memory, he stated facts essential to the argument he should submit to the House. His right, as a minister of the Crown, permitted him to quote those documents which came into his hands. He would, however, give an answer to the hon. gentleman, that would enable him to sit down quietly—the document he alluded to was not one of those to which the observations of the hon. gentleman pointed.

Mr. *Whitbread* observed, that if the document was one of those to which he had alluded, he should propose a vote to the House, as to the propriety of the noble lord's making use of it.

Lord *Castlereagh.*—It is not the paper.

Mr. *Whitbread.*—Not the paper! Is it any one of the papers which have been refused to the House generally?

Lord *Castlereagh* said, that the gentlemen on the opposite side of the House seemed afraid of that information for which they were generally so anxious, and to dread the effects of free discussion. He should state, that during the whole of the present reign the ordinary and extraordinary revenue of the Civil-list had been 51,623,564*l.* The hereditary revenue of the Crown, together with those duties which in the time of George 2 had constituted the revenue of the Civil-list, and which would have been given without hesitation to his present Majesty in lieu of a fixed Civil-list income, had amounted in the same time to 67,494,368*l.*, which exceeded the sum which he had before mentioned by 15,860,804*l.* The noble lord further stated, that the debts which had accrued upon the Civil-list since his Majesty's accession to the throne, amounted on the whole to 3,200,000*l.* of which the Crown discharged 1,922,000*l.* out of the droits of Admiralty, and other resources belonging to the Crown, in the West Indies. Therefore Parliament had been called upon to pay only 1,278,000*l.* Thus it appeared that the expense borne by the public, on the score of the Civil-list, had been extremely exaggerated, and hence a very unjust impression had gone abroad; the more so because if the Crown had continued to retain its hereditary revenues, as in former reigns, instead of entering into the new arrangement concluded upon the accession of his present Majesty, it would be at present in possession of a surplus of no less than ten millions, after liquidating all its debts. Hence it was clear, that the arrangement alluded to formed an advantageous bargain for the public, while it was disadvantageous to the Crown, inasmuch as the produce of the hereditary revenue had gone on progressively increasing with the prosperity of the country, while the revenue of the Civil-list was fixed.—With regard to the application of the sum referred to in the motion upon the Regent's assumption of the unrestricted regency, he was surprised at the perpetual occurrence of the word 'outfit' in the speech of the noble mover, and of others who had heretofore adverted to this subject. For no such word was to be found in the Act to which the noble mover referred, nor had any such word been used by those with whom the Act originated. He believed, indeed, that this word was first brought forward and applied to this question by the right hon. gentleman on the opposite side (Mr. Tierney). The right hon. gentleman must, however, in the use of the word 'outfit' on this occasion, have rather looked for the authority of applying it to the reports of the debates contained in the public journals, than to the registers of Parliament; for there certainly was not any parliamentary record to warrant the application. When the proposition of this 100,000*l.* was under discussion, it would be recollected that it was never stated to be meant as an outfit;—that no such meaning was attached to it by the gentlemen opposite, whose only objection to the grant was, that it was not accompanied by any estimate. There was indeed on that occasion no question whatever whether this sum was to be applied to the antecedent or subsequent expenses of the Regent; although it had lately become the fashion to insist that this sum was solely designed for the purposes of an outfit. There was no reason whatever to suppose that this sum had not been applied as it was intended, to defray the expenses incident to the Regent's assumption of the royal authority. The House must be aware, that before the Prince of Wales had become Regent, his Royal Highness had placed his family upon a very economic and restricted establishment, with a view to provide for the liquidation of his debts, and to prevent any new debts from being incurred. But on his Royal Highness's assumption of the Regency, he was obliged to extend his expenses in the purchase of carriages and horses, together with other articles necessary to maintain the proper dignity of his station. It would also be recollected, that his Royal Highness had given a very splendid fête at Carlton-house, of which the right hon. gentleman (Mr. Tierney) was competent to judge, as he had been present on that occasion. The expense of this fête amounted, he was assured, to no less than 12,000*l.*; and being led to think that this expense was defrayed out of the Royal Household, he had made inquiry upon the subject, but found that his Royal Highness had derived no aid whatever from that quarter. As to the letter of the Regent's officer (Mr. Gray), which had been so much animadverted upon, the writer merely stated the difficulty of distinguishing what proportion of the 100,000*l.* was applied prospectively, and what to discharge the debts of former years. Reverting to the sum under consideration, the noble lord maintained that there was nothing in the letter or the spirit of the Act under which it was granted, prescribing the application to prospective purposes alone. But, in considering the subject, it was but just to take into view, that the expenses of the Regent were most materially diminished by the property of the Prince of Wales, which had been transferred to his use. Sure he was, that the obloquy which had gone forth on this subject would never have existed if this distinction had been duly considered;—if the establishments of the Prince of Wales and the Regent had been separately viewed, as they ought, in order to appreciate the reduced expenditure of the latter, through the property derived from the former. He (lord C.) had no doubt whatever that if the noble mover had insisted, that instead of this transfer of property, the Prince of Wales should have alienated all his property for the satisfaction of his debts, he (lord A.) would have made a very improvident bargain for the public. For instance, who could deny that if his Royal Highness, upon his assumption of the Regency, were to have all his equipments provided at the public expense, that instead of 100,000*l.*, 2 or 300,000*l.* would not have been necessary even for carriages and horses. [A laugh, and hear!] He could not pretend to state the precise sum necessary for such purposes. But he was persuaded that the arrangement adopted by his Royal Highness was, under every consideration, much more advantageous for the public, as well as more congenial to the liberality of his Royal Highness's own feelings. His Royal Highness desired that all his property as Prince of Wales should be carried forward for the use of the Regent, in order to save the public from any new burthens. As to the precise application of the 100,000*l.* under discussion, he had endeavoured to obtain all the information in his power, and he had found that his Royal Highness had ordered that his debts should be made up to the 18th of February 1812, in order that those debts, for the liquidation of which a previous provision had been made, should not be confounded with such as might be subsequently incurred. When upon receiving the sum of 100,000*l.*, 97,000*l.* were promptly applied to the discharge of several different claims, 80,000*l.* of which indeed had been actually incurred within the year in which his Royal Highness had acted as restricted Regent; the House would see that the application of this sum was such as could not be found fault with. Among the articles of property belonging to the Prince of Wales which had been transferred to the Regent, the noble lord stated, that wine worth no less than 15,000*l.* had been so transferred. But the value of the articles so transferred was so very considerable, that if they had been handed over to the commissioners for liquidating the debts of the Prince of Wales, instead of having been so transferred, the amount which the House would have been called upon to advance to the Regent on his assumption of the royal authority would have been infinitely beyond the sum under consideration. He hoped that he had satisfied the mind of the House on all the points to which he had referred, and he therefore trusted that there was no ground for the proposed inquiry. The Act under discussion had, he contended, been in no instance violated; but that, on the contrary, whether in technical points or in spirit, the object of that Act had been most honourably fulfilled. The Prince of Wales had, it was known, some years since, set apart 53,000*l.* a year for the payment of his debts (together with the revenue of the duchy of Cornwall, which his Royal Highness spontaneously sacrificed for that honourable purpose), which sum was vested in the hands of commissioners, at the head of whom was Mr. Adam, to whose integrity and capacity it was impossible to make any objection; and a similar commission under the same gentleman was constituted by the Privy Seal in 1813; which commissions were quite distinct. To the latter the investigation of any claims upon the Regent was consigned; but as to the former, he was prepared to state the amount of the debts of the Prince of Wales which were yet unredeemed; and hence the House would see when the sum of 53,000*l.* a year, at present under the management of that commission, would revert to the public. He could assure the House that no disposition existed to withhold any information upon the subject, whatever insinuations of mystery or concealment might have been thrown out. Now, then, if any part, or even the whole of the 100,000*l.* under consideration, instead of being expended as he had stated, had been applied to the liquidation of his Royal Highness's debts in aid of the sum already mentioned, he was prepared to maintain that such an application would have been substantially the same to the public; because the 53,000*l.* a year at present in the hands of commissioners, would have sooner become available. In fact, the case would have been as broad as it was long for the country. On the whole, he felt that no part of the calumny which had too often been pointed against persons in high station, would have applied to the Regent on this transaction, if his conduct were fairly understood; for his Royal Highness had evinced a disposition to deal most honourably towards his creditors, and most liberally towards the public, as he flattered himself he had satisfactorily shown to the House. And as to the Civil-list generally, he maintained that for the last fifty years, since that Civil-list was arranged, the bargain had been extremely advantageous for the country, while the Crown had suffered a loss in the privation of its hereditary revenue, which had gone on increasing in its produce in the same proportion as all other descriptions of property, of the nature of which increase every individual possessed of property must be fully aware. Under all the circumstances of the case, seeing that the public interest had been materially benefited in the transactions alluded to, and that the Prince Regent had throughout acted with the utmost honour and liberality, the noble lord concluded with expressing his conviction that the motion would be resisted.

Mr. *Tierney* began by observing, that if the noble lord had confined his remarks to the motion before the House, he should not have thought it necessary to add any thing to the able speech of the noble mover. But the noble lord had gone into a variety of details since the reign of George 2, which were quite irrelevant to the merits of the motion, and also into a vindication of the conduct of the Regent, to which conduct that motion had no reference; for the object of the motion was, not to question the conduct of the Regent, but to inquire into the proceedings of those by whom the application or expenditure of the sum under consideration had been directed. It would be recollected, that when in 1787 the sum of 55,000*l.* was voted to defray the expense of repairing Carlton-house, the Prince stood pretty much in the same situation as his Royal Highness was placed at present. The manner in which the 55,000*l.* was appropriated, was questioned in that House; and Mr. Sheridan, as the Prince's friend, in consequence demanded that an inquiry should be instituted. Such an inquiry was accordingly moved by lord Sheffield, in 1791, which motion Mr. Pitt opposed until the Prince's consent was ascertained, when a committee was appointed, and the report of that committee was entirely to the credit of his Royal Highness. He had no doubt whatever that the report of a committee upon this occasion would be equally creditable to his Royal Highness, whatever might be the result to his Royal Highness's advisers or agents; and unless the contrary should be distinctly stated by the noble lord opposite, he could not believe that his Royal Highness entertained any objection to the proposed committee. There were several points in the noble lord's speech which he would not follow, first, because those points were foreign to the present question; and secondly, because they had been often answered heretofore. If, for instance, his Majesty were recommended to resort to the old arrangement which prevailed previous to the establishment of the Civil-list, Parliament would take care that if a surplus of 10 millions, or any thing like it, occurred upon the produce of the hereditary revenue, many articles provided from the public purse should be defrayed out of that revenue. The question, however, at present before the House had no relation to that point; but went to inquire whether the sum of 100,000*l.* voted to the Regent for a specific purpose, had been applied to that purpose agreeably to the provisions of the Act.— The noble lord, continued the right hon. gentleman, had appealed to him respecting the splendour and beauty of the fête which had been given at Carlton-house. Certainly he had the honour of being present at that fête, and the circumstance made the stronger impression upon his mind because it was the last time he had enjoyed such an honour—[a laugh]: but, with the exception of that fête, he did not know of a single occasion for expense during the year of the restricted Regency. In fact, he did not believe there was a single item of expenditure during that period which could be considered as arising out of the exercise of the royal authority. It was not a fair statement, therefore, to affirm that such an expense had taken place; but if it really had, let it be proved in the committee. The right hon. gentleman here stated the manner in which the present question had been brought under the consideration of Parliament, and referred to the letter from Mr. Gray to the Chancellor of the Exchequer, in consequence of inquiries made by the latter, respecting the application of the 100,000*l.*, and which he (Mr. Tierney) described as the most deliberate insult ever offered to Parliament, for it constituted a direct violation of one of its acts. That letter of Mr. Gray, also, had furnished the noble lord with an argument which he had used in the course of his speech, and which implied a proceeding on the part of his Royal Highness to which he did not believe he could condescend. He did not—he could not—believe, that his Royal Highness, as Prince of Wales, would stoop to supply the Regent with wine, and charge for it; that he would say, "Value my wine in my cellar as belonging to the Prince of Wales, and let me drink it as Prince Regent." [Hear, hear!] Then as to the property of his Royal Highness:—he denied that he had any right to dispose of it, as Regent, for the liquidation of his debts; Carlton-house had been made royal property, and he was quite sure his Royal Highness would rather have come down to Parliament in any shape, for the payment of his debts, if he had been aware that the noble lord could have made such a defence for him. The noble lord had spoken of the 100,000*l.* as if it were an absolute and unconditional grant from Parliament to the Regent; but he denied that it was any such thing, and he rested his denial upon the express words of the Act; and unless Parliament meant to recognize it purely as a gift, abandoning all right to inquire into its application, after having voted it, they must agree to the motion of his noble friend. The inquiry proposed by his noble friend would be an act of justice to his Royal Highness, and the House would only discharge the justice which it owed to itself in voting for it. The history of that 100,000*l.* was rather curious. On the 11th of February, 1812, the Bill for bestowing it was passed; on the same day, other bills also were passed, granting certain sums to the Queen and the Princesses; and then on the 13th of February came forth the celebrated letter to his royal highness the Duke of York, informing him that the new era had begun. That, he believed, was the true history of the transaction; and the new era certainly did commence at the price of 160 or 170,000*l.* a year. [Hear, hear!] It would appear, however, that the public had paid the 100,000*l.* twice over; and that might be proved without torturing any facts from their legitimate tendency. In the report of the committee in 1813, upon the expenditure of the Civil-list, there was a sum of 104,000*l.*, in the fourth class of the Lord Chamberlain's department, which excess arose almost wholly from the expenses of Carlton-house, and 61,000*l.* of that was stated to be for plate and furniture incident upon the assumption of the royal functions with proper splendour by the Prince Regent. In the department of Master of the Horse also, there was a charge of 15,000*l.* arising chiefly from the additional purchase of horses and carriages consequent upon the assumption of the Regency. So that, notwithstanding the grant of 100,000*l.* for the outfit, neither plate, nor furniture, nor horses, nor carriages, were purchased, but all those particular items are separately charged, to the amount of 76,000*l.* Under these circumstances, would the House endure to be told that they were not to inquire what had become of the 100,000*l.*, but that they must pay another 100,000*l.* which had been employed for the purposes contemplated in voting the first? If ever there was a strong case made out, or one which it was impossible for any man living to face, he firmly believed it to be the present; and if that House had any regard for the public opinion out of doors, they would not venture to refuse his noble friend the committee he required. The noble lord had talked a great deal about his Royal Highness's debts. Why had not these debts been paid? Why had they not been fairly submitted to Parliament? Because, said the noble lord, it was more pleasant to the feelings of his Royal Highness to pay them out of his own income, than to transfer them as a burthen upon the public. But he denied that his Royal Highness had any right so to appropriate his income, because he had no right to the enjoyment of it at all, from the moment that he became possessed of the unrestricted allowances of the Civil-list. It was true, the allowance which Parliament granted to him as Prince of Wales, was granted during his life, or during the life of the King; but, would any man deny that the political demise of his Majesty was a circumstance which ought to release the revenue of the country from the 120,000*l.* per annum granted to his Royal Highness? Why, then, were his debts left in that state of ambiguity, that so little of their real amount was known? Because there was some secret behind the curtain; because it was thought desirable to keep his Royal Highness in check, and to make him know that the ministers had something to let out if they chose to do so. Hence the profound silence upon the subject of his debts, so far as any distinct specification of them was concerned; as if they wished to make it up with his Royal Highness, which he (Mr. T.) did not think possible, for the slur they threw upon him in 1795. But he would defy the noble lord to point out an instance in the history of this country, where the debts of the Crown had been thus paid by a kind of side wind. The usage was, in such cases, for a message to be sent down to Parliament, communicating the encumbrances under which the Crown laboured, and referring them to its consideration. Again, he would ask, what were the debts of his Royal Highness? The noble lord said, if the House wished it, he would satisfy them upon the subject: for himself, he should not testify any premature curiosity; but if the noble lord chose to make any communication, it would certainly be a satisfactory proceeding. He was certain they must be large, from the appropriation which had been made, of various sums, to their liquidation. With respect to the question immediately before them, every syllable which had fallen from the noble lord pointed to the necessity of inquiry; and his firm conviction was, that if an inquiry were granted, no imputation would appear against his Royal Highness, but a very strong imputation would be cast upon a cabal whose practices would be detected, and of which practices they ought to be ashamed. [Hear, hear!] A case would be made out, in the committee, very painful to some individuals connected with his Royal Highness and others connected with the ministers; but he was persuaded the conduct of the Prince Regent himself would come out of the inquiry free from any blame whatever. If the House refused to go into the examination, all the people of England would see, and would be ready to exclaim, that they paid no respect to the application of the public money; that though they held the strings of the public purse, they treated with indifference a strong case of wasteful expenditure, at the very moment when they were calling upon that people to pay a tenth of their whole income, and to support the burthen of granting subsidies to foreign Powers. He was sure the character of the House was more at stake, in the public estimation, upon that question than upon any other. The people would regard the whole transaction as a dealing between the Crown and the House of Commons, and those who voted against the motion of his noble friend would be considered as paying their court to the Crown. [Hear, hear! from the Ministerial benches.] At no period of the history of this country was it less desirable that such an impression should exist in the public mind, than at the present, when every man, from the highest to the lowest, ought to be satisfied that not a farthing more was paid than the strict necessities of the Government required. If the committee was refused, a suspicion would work in the public mind as to the manner in which the 100,000*l.* had been applied, and that would do more injury to his Royal Highness's character than any inquiry that could be instituted.

Mr. *Leach* said he could not, after the most deliberate examination of the present question, come to the same conclusion as the right hon. gentleman. On the contrary, he did not see the slightest grounds for the proposed inquiry. The hon. and learned gentleman warmly vindicated the character and conduct of Mr. Adam from any imputation which might be supposed to attach to him as the adviser and counsellor of his Royal Highness, in respect to the mode of liquidating his debts, and then proceeded to argue the question at some length, so far as it related to the technical construction of the Act, in which he contended, that, strictly speaking, the money was not granted for any specific purpose, but for general and undetermined purposes. With regard to the other point of view in which the question might be considered, namely, whether in consequence of the use to which the 100,000*l.* was applied, a single shilling of charge had been thrown upon the public beyond what were the intentions of Parliament; he maintained that it was perfectly indifferent whether the money was applied to one purpose for which Parliament had pledged the public money, or whether to another purpose for which Parliament might equally have pledged the public money [Loud cries of Hear, hear! from the Opposition.] If the sum were in fact applied to any other purpose to which the public money was already pledged, so far that pledge would be redeemed to the extent of the one hundred thousand pounds; and would not that be an equivalent? He said, he was arguing the point merely as one of a pecuniary nature, when he thus considered it; and he begged the House would do him the justice not to misinterpret his views. Had the money granted by the House been thrown into the sea, or devoted to any purpose which Parliament had never contemplated, then indeed there would have been matter of inquiry. But, if he was right in his facts, the right hon. gentleman laboured under a misapprehension on the subject. He could not, therefore, concur with his noble friend in his motion for an inquiry. On the best judgment that he was able to form, the act of parliament had not been violated, and he called on any legal man to say that it had. No additional burthen had been incurred by the appropriation of the grant which had taken place; and consequently nothing had occurred which demanded investigation.

Mr. *Wynn* said, that it was with unfeigned pain, feeling the respect which he did for his hon. and learned friend who had just sat down, that he felt it his duty to declare that the argument of his hon. and learned friend went most directly against the privilege of Parliament, the substance of the constitution, and that active control over the Crown which the House of Commons were bound to exercise in the appropriation of the public money. What! was it a mere technical matter that a sum of money granted by Parliament for one purpose had been appropriated to another? It was a high misdemeanor to apply the public money to any other purpose than that for which Parliament had voted it. This was not a new doctrine. It prevailed on every subject. The money voted for the army could not be applied to the purposes of the navy. This was not a form or technicality, but it was of the very substance and essence of the Constitution. The second proposition of his hon. and learned friend was, that Parliament had pledged themselves to pay his Royal Highness's debts. This he utterly denied. He defied any one to point out a single line of their proceedings to that effect. It was true, that Parliament perfectly knew that engagements of that nature existed; but they were such that could not be recognised by them without the violation of an existing Act. In the event of the death of his Royal Highness, Parliament were not bound to pay those debts. Such a step would be contrary to all precedent. The posthumous debts of a Prince of Wales had never been recognised or provided for by Parliament. Frederic prince of Wales died greatly in debt, but Parliament did not saddle the country with the payment. It would, indeed, be a serious matter if, after a special act of parliament, that no debts of that description should be recognised after a certain period, that House should come forward and pay such debts in direct violation of the Act. Conceiving that the grant had been improperly applied, he should certainly vote for the inquiry.

Mr. *Long* contended, that though the House was never pledged to pay the honourable claims on his Royal Highness, yet it was aware that such claims existed, and had in fact recognised them, inasmuch as 50,000*l.* a year had been appropriated for their payment out of the revenue of the Prince of Wales. That annual sum would now be more speedily liberated. The right hon. gentleman here entered into a statement to show, that since the commencement of the present reign, a sum of 2,822,804*l.* had been given by the Crown out of funds of its own, for the service of the country; while the money that Parliament had given for the payment of the debts of the Crown had only exceeded the above sum by a surplus of 390,257*l.* He said, that the increase of the Prince Regent's establishment rendered the additional sum necessary, which had been fairly and justly applied. There were no grounds to admit a contrary inference; and therefore he should give his opposition to the present motion.

Mr. *Ponsonby* observed, that it gave him great pain to say, that since he had sat in that House he had never heard so unconstitutional an argument as that of his hon. and learned friend near him (Mr. Leach). To the Speaker, who was so well acquainted with the history of parliament, and who knew, that by a perseverance in noble struggles against the two other branches of the Legislature, that House had established its right to direct the application of the public money, it must be particularly grating to hear it asserted, that it was no violation of the constitution to apply to one purpose the money which had been granted by that House for another. With respect to a learned friend of his (Mr. Adam), for whom he had the greatest regard, he must say, that the heaviest charge against him was the defence which it had been attempted to set up of his conduct. If any additional motive were requisite to induce the House to consent to the appointment of a committee, it was in order that his learned friend might have an opportunity of justifying himself; for he was persuaded that his learned friend could not act as had been imputed to him. His hon. and learned friend near him had said, that there had been no misapplication of the public money, because Parliament were bound to pay his Royal Highness's debts in some shape or other; and the right hon. gentleman opposite had declared, that that House had recognised those debts. This he denied. Parliament were under no pledge on the subject—although he was persuaded, that if the inconveniencies under which his Royal Highness laboured had been represented to the House, they would cheerfully have relieve him from them—and even if they were, that would be no justification for taking the money granted for one purpose and applying it to another. His hon. and learned friend called these considerations forms. Forms! They were forms for which our ancestors had fought and bled. Let hon. members read the history of the struggles of that House with the Crown on the subject. Let them read how often that House had refused grants of money to the Crown, because former grants had not been applied to the purposes for which they had been voted. Let them see how the disputes in the reign of Charles 1 were embittered by this contest; and what a share it had in the subsequent misfortunes of that misled and unhappy monarch. When pressed by necessity—after he had failed in raising ship-money—after he had failed in other devices—the suggestions of profligate lawyers and unprincipled judges—he was compelled to come to Parliament and ask for supplies, on the express condition that parliamentary commissioners should be appointed to superintend their distribution. In fact, the period from Magna Charta to the Revolution, had been a period of unceasing struggles on this subject; and the House were now told that it was a mere matter of form! [Hear, hear!] On the contrary, it was of the essence of the British Constitution. Public liberty depended on it. If when a sum of money was granted to the Crown by that House, it was applied with impunity to other purposes than that for which it was voted, there was an end of the control of Parliament over the public purse, and the Crown would become absolute over it. The hon. members who opposed the motion, contended that there had been no misapplication of the grant. Now, to him nothing seemed clearer than that the object of Parliament in voting it was to defray the increased expenses which must necessarily be incurred by his Royal Highness, on his assumption of the royal authority; and therefore, that it was in consideration of expenses which were to take place, rather than of expenses which had taken place. The amount of the sum had nothing to do with the principle of the proceeding. If but one hundred pounds had been so voted and so misapplied, he would have argued as strenuously against the act. The smallest violation of the constitutional doctrine ought to be marked by the most unqualified reprobation on the part of the House. For these reasons he trusted the House would adopt the motion of his noble friend, and by doing so put an end to the possibility of their ever hearing those forms described as technicalities, which were, in point of fact, the very essence of the Constitution.

The *Solicitor General*, after declaring that no one could give a more conscientious opinion on the subject than himself, contended that a strong case of the violation of the law, or of the abuse of the power vested in certain persons by the law, ought to be made out in order to induce the House to enter into an investigation of this subject by a committee. The very appointment of such a committee would imply a censure. He was not quite certain that he understood the argument of the supporters of the motion, particularly of the right hon. gentleman who spoke last. He did not understand whether that right hon. gentleman unequivocally contended that the money had been granted alone for the expenses which would be incurred by his Royal Highness on the assumption of the royal authority, and had no reference to the expenses which his Royal Highness had before that period been liable to. In the Appropriation Act, and in the resolution of the Committee of Supply, the House would find the words 'have been or may be.' At the time, the introduction of these words was opposed by gentlemen opposite, but the objection was over-ruled; because it was intended that the sum should be applied to the past as well as the future expenses of his Royal Highness. Now, unless it could be shown that the sum had not been applied to the expenses of his Royal Highness, there could be no foundation for the present motion. The general propositions of the right hon. gentleman were such as no person would contradict. The public had not been injured by the application of the sum in the manner which had taken place; and therefore to call for a committee was altogether unnecessary.

Mr. *Stuart Wortley* had no hesitation in saying, that the Act of Parliament had been violated, in as far as it was a breach of the Act to apply the money to other purposes than those expressed in it. It appeared that all expenses of his Royal Highness's household in 1811, which were extra expenses beyond those which he would have incurred as Prince of Wales, were only, strictly speaking, payable out of the grant. But yet the hon. gentleman opposite had not made out a case which called upon the House to vote for a committee. By going into a committee they would be conveying an idea to the country that the money had been improperly applied; but of that there was not the least notion entertained. The country had not lost one farthing by it. It gave him great pleasure in coming to this conclusion. At the same time he acknowledged that the expenditure of the Civil-list had undoubtedly created a strong sensation in the country, and he felt convinced that the strength of the minority on a late debate on the subject would do good.

Lord *Folkestone* expressed his surprise, that the hon. gentleman should acknowledge that a violation of the Act had been committed, and yet declare his intention to vote against inquiry.

Mr. *Calcraft* conceived that his Royal Highness, during his whole life, had been exceedingly ill treated in money matters. Those who had formerly been severe towards him, were now endeavouring to make amends; but yet his Royal Highness had never been so ill-treated as he now would be if this committee were refused: 100,000*l.* had been voted for a specific purpose, and when this was questioned, it was owned that a direct misapplication of that sum had taken place, and that this had been advised by subordinate persons of whom the House had no cognizance.

Lord *Milton* expressed himself to be as much surprised as the noble lord (Folkestone) at the little connexion which could be traced between the argument and the conclusion of the hon. gentleman who preceded him (Mr. Wortley). He trusted, however, it was possible that his support might yet be obtained, before the question went to a vote. In order to secure it, he wished to give notice, that if the question should be negatived, it was his intention to move a resolution, declaring, "that it appeared to the House, that the sum of 100,000*l.*, granted to his Royal Highness on the commencement of his Regency, had been applied by the commissioners to purposes contrary to those specified in the act of parliament."

The House then divided:

For the motion 105
Against it 225
Majority against it......——120

List of the Minority.

Abercrombie, hon. J.
Anson, sir G.
Atherley, Arthur
Bankes, H.
Babington, T.
Baillie, James E.
Barham, J. F.
Baring, Alex.
Barnard, viscount
Bennet, hon. H. G.
Brand, hon. T.
Burrell, hon. P. D.
Byng, George
Campbell, hon. J.
Cavendish, lord G.
Cavendish, hon. H.
Cavendish, hon. C.
Chaloner, Robert
Carew, R. S.
Calcraft, John
Coke, T. W.
Dundas, hon. L.
Duncannon, Visc.
Elliot, rt. hon. W.
Folkestone, lord
Fergusson, sir C. R.
Fitzroy, lord J.
Foley, col. T.
Foley, hon. A.
Fitzgerald, rt. hon. M.
Fane, J.
Finlay, K.

Gordon, R.
Grant, J. P.
Greenhill, R.
Grenfell, Pascoe
Guise, sir W.
Grattan, rt. hon. H.
Heathcote, T. F.
Horner, F.
Hanbury, Wm.
Halsey, J.
Hamilton, lord A.
Heron, sir R.
Hornby, E.
Howorth, H.
Hurst, Robt.
Jervoise, G. P.
King, sir J. D.
Lloyd, J. M.
Langton, Gore
Latouche, R.
Lemon, sir Wm.
Law, hon. E.
Martin, H.
Martin, J.
Milton, viscount
Moore, Peter
Monk, sir C.
Molyneux, H. H.
Maitland, hon. A.
Markham, admiral
Methuen, Paul
Newport, sir J.
North, D.
Nugent, lord
Osborne, lord F.
Power, R.
Parnell, sir H.
Pelham, hon. C.
Pelham, hon. G.
Pierse, H.
Philips, G.
Piggott, sir A.
Prittie, hon. F. A.
Ponsonby, rt. hon. G.
Pym, F.
Protheroe, E.
Russell, lord W.
Ramsden, J. C.
Ridley, sir M. W.
Romilly, sir S.
Rashleigh, Wm.
Scudamore, R. P.
Smyth, J. H.
Smith, R.
Smith, S.
Smith, A.
Shakespeare, A.
Stanley, lord
Sebright, sir J.
Townsend, lord C. F.
Tavistock, marq.
Tierney, rt. hon. G.
Talbot, R. W.
Tremayne, J. H.
Wynn, sir W. W.
Whitbread, S.
Winnington, sir E.
Walpole, hon. G.
Western, C. C.
Wharton, J.
Wilkins, W.
Williams, sir R.
Warre, J. A.

TELLERS.

Althorpe, viscount.
Wynn, C. W.

Lord Milton then moved, "That the copy of a letter, dated 20th of May 1815, from Robert Gray, esq. to the right hon. Nicholas Vansittart, respecting the manner in which the sum of 100,000*l.*, granted to his royal highness the Prince Regent by the Act 52 Geo. 3, c. 7, has been applied," might be read; and the same being read, his lordship next moved, "That it appears to this House, that the sum of 100,000*l.* granted to his royal highness the Prince Regent by the Act 52 Geo. 3, c. 7, was made over to the commissioners appointed by his Royal Highness under his privy seal as Prince of Wales, dated 11th of February 1812, for ascertaining and settling all claims and demands upon his Royal Highness to the 18th day of the same month, contrary to the aforesaid Act, and in violation of the Act appropriating the supplies for the service of the year 1812."

The motion was negatived without a division.

STAMP DUTIES.] The House having resolved itself into a committee of supply, The *Chancellor of the Exchequer* observed, that he proposed at so late an hour of the night, to omit several parts of the new plan of increased duties, till there should be a fuller attendance of members and an ampler opportunity of discussion. Amongst these were the stamps on promissory notes, bills of exchange, law proceedings, and bankers' licences. He had no disposition to take the House by surprise, or to press to an advanced stage any measure which had not already received the apparent sanction and approbation of the House.

Sir *Charles Monck* inquired whether the right hon. gentleman intended to bring on that part of the schedule which related to the new tax on advertisements.

The *Chancellor of the Exchequer* stated, that he had had conferences with several persons who appeared to represent the sense of those individuals who were more immediately interested in the measure, and an arrangement had been agreed on which was supposed to meet the views of both parties. The general result of this arrangement was, that the progressive duty on advertisements should be abandoned, and that in lieu of it there should be imposed a common duty of an additional sixpence, making the whole duty 3*s.* 6*d.*; and also an additional duty of one halfpenny upon the paper itself.

Sir *Charles Monck* conceived that a new question arose out of this plan for transposing the new duties on advertisements and newspapers. It was generally considered that the universal circulation of knowledge produced by the daily journals and other periodical publications, was one of the most extensive and substantial advantages resulting from the liberty of the press. The House, therefore, ought to determine whether it might not be a duty they owed to the public, whose interests were most concerned, to step in between Government and the editors of newspapers, who, he could easily apprehend, might coincide in an arrangement convenient to both, but by no means equally beneficial to the public. He confessed he was very averse to seeing the necessities of the state supplied by means which seemed to tend to the suppression of general information. The right hon. gentleman, he hoped, would at least have no objection to postpone the resolution for the present.

The *Chancellor of the Exchequer* assented to the wish of the hon. baronet.

The other Resolutions were then agreed to, and the Report was ordered to be received to-morrow.

HOUSE OF LORDS.

Thursday, June 1.

FOREIGN SLAVE-TRADE BILL.] The Marquis of *Lansdowne* moved the second reading of the Foreign Slave-trade Bill. He did not anticipate any opposition to the motion; but conceiving it to be the duty of those who moved the second reading of a bill to state its general nature and object, he should do so in the present instance, as shortly as he could. It had unfortunately happened that since the abolition of the Slave-trade in this country, the Slave-trade of foreign nations had been carried on in a great measure by means of British capital, and the penalties imposed by the act of 1806 had been found insufficient to check that practice. By this advance of capital, a slave might be purchased in Africa, carried to the West Indies, and landed in the islands, where the importation of slaves was permitted, for about 25*l.* In the British West India islands, where no such importation was permitted, the price of a slave was 100*l.* The profits of capital employed in the cultivation of the islands was about 10*l.* per cent., and there was a temptation to employ it in this prohibited slave traffic of about 40*l.* per cent. The consequence was, that a great deal of British capital was so employed; and the object of this Bill was to check that practice, which contributed so materially to the preservation and extent of that nefarious commerce. Unless a measure of this kind were adopted, the former provisions of the Legislature would be rendered in a great degree nugatory, as a person who still wished to carry on the Slave-trade might do so under another name. If he were to go into minor considerations on a subject of this magnitude, he might say, that it was certainly the interest of this country, and especially of the West India proprietors, that this Bill should pass; for the facility of introducing slaves into the foreign islands, and the procuring at a rate so comparatively cheap, would enable them to enter into a ruinous competition with our own West India islands. Such was the object of the Bill, and these were the grounds on which he moved the second reading. If any amendments in the detail should appear necessary, they might be suggested in the committee.

The Earl of *Westmoreland* had no objection to the principle of the Bill, but he was alarmed at the extent to which it would go. An innocent West India merchant lending his money to one who, without his knowledge or participation, might employ it in this traffic, might be subjected to punishment, and therefore some caution ought to be used in that respect. Then, again, a person might be tried at any of the colonies by a commission, and found guilty of felony, without the verdict of a jury. The noble marquis, who was so much a friend to the liberty of the subject, ought hardly to support such a proposition. For his own part, he was alarmed that British subjects should in this way be made liable to such a severe punishment. They might be tried at Sierra Leone, where an unfortunate case of this kind had lately occurred.

The Marquis of *Lansdowne* said, that the object was to render the persons employing their capital, or consenting to have it employed in this traffic, guilty of felony; but he was not aware that the provisions of the Bill would at all compromise innocent persons, and, as the West India interest was much more fully represented in the other House, he had no doubt their case had been attended to. As to the trials in the colonies, the object was to place this on the footing of piracy, which certainly might be tried in all the jurisdictions of the country; and as to what the noble earl called the unfortunate case at Sierra Leone, there was no doubt that the persons to whom he alluded were really guilty; but the sentence against them had been reversed from the want of a formal document, or an irregularity in point of form of some description. The execution of the law and the appointment of the officers rested with the ministers; and if they appointed ignorant persons to those situations, the blame rested with them. If any objection in the detail occurred to the noble earl, the best time to state and amend it would be in the committee.

The Bill was then read a second time, and committed for Monday.

ROSEBERRY DIVORCE BILL.] The Marquis of Lansdowne moved, that the report of the earl of Roseberry's Divorce Bill be received.

The Earl of *Lauderdale* rose for the purpose of moving the rejection of all those amendments, which went to annul the marriage settlement, and also that clause of the Bill by which the offending parties were prevented from contracting a legal marriage. Before he stated his reasons he was anxious to say, that no one could have a higher respect than he had for the noble earl in whose favour this Bill had been introduced; and he was far from contending that this case was not, in some respects, one of great atrocity. It had been settled as the law of England, that a divorce *d mensa et thoro* did not enable the parties to marry again. The husband, therefore, came to this House asking a boon from their lordships, the privilege of marrying again, which the law did not give him: but this Bill not only gave him what he asked, but also relieved him from the marriage settlement. Now the settlement was a civil contract entered into with the wife and her friends for her benefit, and could not at law be impeached on account of the adultery of the wife. Why, then, should their lordships, because the husband solicited one advantage, give him another? He had heard the highest legal authorities declare in that House, that these contracts ought not to be interfered with, and he knew of no principle upon which the Legislature could justify such interference, where the object was merely to enable the husband to marry again; and there was in effect this injustice in the case, that while a husband might have this advantage against an offending wife, the wife could have no such advantage against an offending husband. This Bill, though its avowed object was to give the husband the power to marry again, was, in effect, by the destruction of the settlement, a bill of pains and penalties against the wife, and that without any evidence to justify the infliction. Their lordships had had lately before them a Bill for disfranchising the electors of a certain borough; and it was held that a bill of that description was one of pains and penalties, and a bill which ought not to be passed without such proof as the House required with respect to bills of that nature in other cases. This, too, was a bill of pains and penalties, as far as concerned the annulling of the settlement; and their lordships ought not to adopt that part of it without similar precautions. In the preamble of the Bill, it was at first stated that the lady by her crime had forfeited all right and title to the provision under her marriage settlement. That proposition, he believed would now be admitted to have been false in law; and accordingly the Bill had been in that particular amended: but if it was false in law, he could not perceive upon what principle the House could agree to allow that part of the Bill to stand which did in fact provide for such a forfeiture. As to the clause prohibiting the intermarriage of the offending parties, that was founded upon a standing order of this House, that it would pass no divorce bill without such a clause. His first objection to that clause was, that it was not conformable to the standing order; for it only provided that such marriage, if contracted, should be adjudged and held to be illegal. If the marriage was only to be adjudged illegal, he presumed that it must remain legal till otherwise declared by the sentence of a judge. The standing order was, that such marriages should be illegal by the Act without any sentence of a judge. [The Marquis of Lansdowne said, the Bill has been amended in that respect, and such a marriage declared to be illegal.] He understood that the clause had been amended in this particular, and made consonant to the standing order. Why, then, his first objection to the clause in that view was, that it was unnecessary, because it only did that which the law already did, provided any one member of the community chose to enforce it; and if it was of consequence that no such marriage should be allowed to remain valid, some individual would, in all probability, apply to the proper tribunal to have the marriage declared illegal; and it would be better to leave it to the ordinary tribunals to deal with these matters than to interfere in this way. His next objection was, that the insertion of this clause might endanger the fate of the Bill. Their lordships were aware that a general measure had been suggested, and had received the assent of that House, to render such marriages illegal in all cases: but that general measure had been rejected in the other House. Then the standing order was adopted in that House, that it would pass no bill without such a clause: but that had already, in several cases, been dispensed with, and ought to be dispensed with in the present, rather than expose the noble earl to the loss of his remedy by the rejection of the Bill altogether. The adoption of the standing order in question, under the circumstances which he had stated, would make it appear to the other House somewhat like an attempt to legislate by the authority of this House only; and the insertion of such clauses would therefore be regarded with peculiar jealousy. If it was fit that these marriages should be declared invalid, it ought to be done by a general measure, passed with the approbation of both Houses. These were the reasons which induced him, in the discharge of what he conceived to be his duty, to move, that the clauses annulling the settlement and declaring any marriage of the parties illegal should be left out.

Lord *Grenville* said, that he was very far from agreeing with his noble friend, that the only object of the Bill was to enable the injured husband to marry again. The object was completely to dissolve the marriage, and consequently all contracts depending upon it. The difficulty was, when the marriage between the parties was to be dissolved, to find a principle upon which the settlement could be supported. The settlement was a contract made in contemplation of the marriage, and of its continuance; and when, by the misconduct of the wife, the contract was broken, he could not well conceive upon what principle the settlement, which was made solely for the purposes and upon the foundation of the marriage, could be allowed to stand. The effect would be, with respect to the injured husband, to leave his estate burthened with the obligations of a contract which his wife had chosen to put an end to. It was even difficult under such circumstances to find a principle upon which to found the alimony which this Bill provided for the wife; for as the marriage was to be dissolved, on account of the misconduct of the wife, it did not immediately appear on what ground the husband was to be subjected even to this burthen. He totally disagreed with his noble friend, therefore, on the subject of the clauses annulling the settlement. As the marriage was to be dissolved, every contract which was founded upon it, and made in the contemplation of its remaining unbroken, ought also to fall. Then, his noble friend objected to the clause by which any intermarriage between the offending parties was declared illegal, and the objections rested on two grounds —1st, That this was only doing what the law already did, if any one chose to enforce it; and 2nd, That even the remedy given to the injured husband, by enabling him to marry again, would be endangered by the insertion of such a clause. Before he addressed himself particularly to these objections he could not help observing generally, that in his opinion it was much to be regretted that in these cases the remedy must be sought by application to Parliament in each individual case. It would be much better, as he thought, that a general law should be established in this as in all other cases, by which the parties would be enabled to see the whole consequences which must follow from their actions, and that this law should be administered in the ordinary way by the Judges. As it was, however, they had only to consider what was proper in each particular case, and do that which appeared to be just and proper under all the circumstances. Then with respect to his noble friend's first objection to the clause, declaring the marriage illegal, if it was fitting such a marriage should be held illegal, it was, in his opinion, necessary that it should be declared so in this Bill. Under the existing law, matters of this kind were left to the Ecclesiastical courts; and he understood that it was only under particular circumstances, and at particular times, that the object could be attained. The parties by living abroad and out of the jurisdiction of the court, till the death of one of them, might render it impossible to annul such a marriage, and by this contrivance the issue might be legitimatized. He was informed also, (for he could only speak from information,) that a sentence of nullity might be avoided by a species of collusion, not very creditable to any court of justice, by setting up an informer, and in this way preventing such a question from ever being fairly brought to issue; and, after the death of one of the parties, the legality of the marriage, he understood, could no longer be questioned. With respect to the other objection of his noble friend, he admitted that a general measure would be much more preferable; and on that head he still remained of the opinion which he had given when that measure was introduced into that House, but which had unfortunately as he thought failed in the other. He was of opinion, that such marriages ought to be declared void by a general law, as contrary to sound morals, to the law of the land, and to the scriptures. When the general measure failed, this standing order was made: but he could not agree with his noble friend as to the object and view with which it was made. His noble friend who then sat on the woolsack, and who had introduced it, knew too well the nature of the British constitution, and had too great a value for it, to do any thing so subversive of its principles, as to attempt to legislate by the authority of this House only. The real object and design of that standing order he took to be this: that, as the Legislature could not agree in passing a general measure, it was desirable that the morals of society should at least have this security, that the propriety of having such a clause introduced should be brought under consideration in each particular case. There had been instances, accordingly, where, upon consideration, the clause had been dispensed with; and though he should have preferred a general measure declaring all such marriages void, yet since they were compelled to look into the state of each particular case, there were some of those instances in which he thought the clause had been properly dispensed with. But it was of the utmost importance, in his opinion, that there should be a general law on the subject, apprizing the parties beforehand of the consequences; for he was convinced, that the hopes of marriage with the seducer, in many cases, encouraged the crime; and as there was no such general law, their lordships ought, at least, to consider well before they dispensed with the clause in any particular case: and if it was important that such a clause should ever be introduced into such bills, surely, in this case, of all others, it ought not to be dispensed with. It was for that House to do its duty; and he did not believe that in the other House the remedy in this case, would be at all endangered.

Lord *Ellenborough* said, that the observations of his noble friend had very much anticipated what it was his intention to have submitted to their lordships on this case. With respect to the settlement, it had been justly aud properly stated, that when the marriage was to be dissolved, the contracts made in contemplation of it, and with a view to its continuance, ought to fall with it. The noble earl had said, that this was a bill of pains and penalties against the lady, by thus setting aside the settlement, and that there was no evidence to justify it: but it did appear from evidence given at their lordships' bar, that she had been guilty of a crime which called for the dissolution of the marriage; a crime than which, under the circumstances, nothing short of the higher felonies could be more atrocious. Let it not be imagined, however, that he placed her guilt on a footing with that of her seducer. His crime was unquestionably more flagrant: but though he was disposed to consider her offence as of a milder character, yet it was undoubtedly such as rendered it highly improper to allow the settlement to stand. He agreed with his noble friend, that it was difficult to find a principle upon which to found this allowance of alimony, which was generally made on these occasions: but as the practice had prevailed, he should be rather inclined to comply with it to a certain extent, more especially when he considered that it might be the means of enabling the wife to avoid, if she chose, plunging herself in still further guilt. When the noble earl said, that the law did not in these cases put an end to the provision for the wife, he had forgot that the only provision which was fixed for the wife before these marriage settlements came in use, that of dower, was completely at an end by the commission of such an offence. The fact of her having eloped with an adulterer might be pleaded in bar of the dower, so that she remained bare and naked as her crime had left her. With respect to the clause for declaring any marriage between the offending parties illegal, he had suggested the amendment to which the noble earl had adverted, because the word 'adjudged' appeared to render a previous sentence of a judge necessary to the illegality of the marriage. It was fitting that such a marriage should by this Act be declared illegal, because, for the reasons stated by his noble friend, the law as it stood did not afford an adequate security. He concurred in the opinion that a general measure would have been preferable to annul marriages between the offending parties in all such cases: but as there was none such, they owed it to the security of civilized society, to the confidence and happiness of families, to the purity and honour of domestic life, that this clause in the present instance should not be dispensed with. Such marriages were contrary, not only to the laws of the land, but to the law of God—and it had been so decided; and what could be more contrary to the law of God, than any thing which might afford the least encouragement to offences of this nature? It was absolutely necessary to the interests of sound morality, to the peace and happiness of social life, and to the purity and honour of private families, that such offences should be marked out as something against nature. If such an incestuous intercourse was to be allowed to pass without suitable animadversion, where could families find security? Not only domestic comforts would be at an end, but the very recesses the very nurseries of private families would become the objects of distrust and suspicion; and even in the narrowest domestic circles, jealousies might arise, lest the male part of the family should be the gallants of the females. He did not wish to dwell upon this, because he was aware how acutely the innocent connexions of the lady felt upon this subject: and he was afraid, lest through the ordinary channels by which their observations were conveyed to the public, any thing said by him should meet their eyes and add to their already too heavy distress: but in the discharge of his public duty, he could not avoid stating his strong sense of the necessity of this clause in the present Bill. It had been said, that it would endanger the remedy altogether: but it was for their lordships in the first place to do their duty. Let it be their maxim, "as for us and our house, we will serve the Lord," leaving it to the consciences of the members of the other House of Parliament, whether they could for a moment hesitate to declare that in this case at least such a clause was necessary. For his part, he was convinced that the same considerations of what was due to the interests of morality, to the security of social happiness, and the peace and comfort of domestic life, would induce the other House to look at the subject in the same way that their lordships did.

The Archbishop of *Canterbury* said, that he felt it impossible, in a case of this description, to give a silent vote. In his opinion, the interests of sound morals would have been better consulted if the general measure of declaring all such marriages void had been adopted: but as that unfortunately did not succeed, it was at least fitting to consider the propriety of introducing such a clause as this in every particular case; and surely in this case it ought not to be dispensed with, for how could there be a case which called more imperiously for such a provision? He trusted it would never be his lot to meet with a case where such a clause would be more properly introduced. If their lordships rejected it, they would ruin the peace of families, destroy the best affections of the human mind, and poison the very sources of domestic security and happiness. He concluded by declaring his strong sense of the necessity of the clause.

The Earl of *Caernarvon* said, that notwithstanding all he had heard, he still thought that such a general measure as that which had been suggested would, instead of being favourable to the interests of sound morals, prove highly detrimental to those interests: but a general measure would be preferable to the standing order of that House on that subject, for it had the appearance of insensibly and by stealth, as it were, introducing a practice which as a general measure the other House had rejected. If they thought that the object was one of such great importance, they ought again openly to come forward with a general measure.

The Marquis of *Lansdowne* said, that with regard to the point of alimony, the earl of Roseberry had no wish but to do what the House thought proper. The sum in the present Bill was proposed by the noble lord who usually sat on the woolsack, and the earl of Roseberry would have had no objection to a greater sum, if the House had thought it right to recommend a larger, though he did not feel that it was for him to propose it. The only anxiety which, in his communications with him, he had evinced was, that the sum, whatever it might be, should be properly secured for the lady. As to the introduction of the clause declaring any marriage between the offending parties illegal, he had no doubt that in this instance at least such a clause was proper.

The Earl of *Lauderdale* said, that as he saw that the feeling of the House was so strongly against his proposition, he should not press it farther.

The Report was then received, and the Bill ordered to be read a third time tomorrow.

HOUSE OF COMMONS.

Thursday, June 1.

Committee on the State of the Law respecting the Writ of Habeas Corpus.] Mr. Serjeant *Onslow* rose, in pursuance of his notice, to move for the appointment of a select committee, to inquire into the state of the Law respecting the Writ of Habeas Corpus ad Subjiciendum. The hon. and learned gentleman said he made this motion in consequence of the fate of a Bill upon this subject which had passed through that House in the most unanimous manner, but the second reading of which was postponed for six months in the House of Lords, the Bill being thereby virtually rejected. The object which he had in view, in introducing the Bill originally, was to correct certain defects which he conceived to exist in the law respecting writs of Habeas Corpus, as it at present existed. The principal defect to which he alluded was the fact, that this most salutary law was, except during the sittings of the Courts at Westminster, wholly nugatory; persons who might be unjustly held in confinement, at any other period, having no means of redress. Many instances of hardship were upon record, in which individuals had suffered from this circumstance, and it was for the purpose of having these occurrences investigated by Parliament, so that a proper remedy might be suggested, that he submitted his present motion. He conceived that some provision might be made, by which the Judges, during every part of the year, whether in term or not, should have the power of deciding upon cases in which persons complained of undue imprisonment: in all matters in which the liberty of the subject was at all concerned, he thought it was the duty of Parliament to be most jealous. The hon. and learned gentleman concluded by moving, "That a Select Committee be appointed to consider of the state of the Law respecting the Writ of Habeas Corpus ad Subjiciendum, and to report their opinion thereon to the House."

The question having been put from the Chair,

The *Attorney General* said, he should not oppose the motion of his hon. and learned friend; but he could not help expressing a doubt of the practicability of carrying the suggestion which he had thrown out into effect. He conceived that apprehensions would be entertained without doors, if such a plan were adopted, that it was intended to give to the Judges a power of too extended a nature. Indeed, he could not help thinking, that such an inference would not be very far short of the truth; for if the functions of the Judges were so enlarged, it would be giving to one judge the power of trying and deciding upon a cause, unrestrained by any higher authority. It was true, that now and then a case of injustice, or of undue imprisonment, might arise under the law as it was at present constituted; but then the parties aggrieved were not without a remedy. If it were possible to improve the law upon this subject, he should be most happy in lending his assistance to promote such an end. He saw the difficulties, however, which lay in the way; and although he felt no disposition to oppose his hon. and learned friend's motion, he thought it incumbent on him to state, that there were grave grounds of difficulty existing.

Mr. *Wynn* thought this was a subject which called for the serious attention of Parliament. The hon. and learned gentleman who had spoken last seemed to have insinuated, that no very many instances had occurred, in which the law as it existed had been attended with ill consequences. If, however, no instance of the sort had ever occurred, and the possibility of the liberty of the subject being infringed only existed, he thought that bare possibility would be sufficient to call upon the House of Commons to take such measures as would obviate such a chance. It had been said in another place, with reference to the Bill which had already passed the House upon this subject, that the House of Commons was not entitled to much respect with reference to any act of legislation upon such subjects; and that the Bill could not be considered as a well-digested measure. He would abstain from making any comment upon this language, if it had been used, and would only observe, that it reflected disgrace not on the House of Commons, but on the person who had brought forward an objection of such a nature.

The motion was then agreed to, and a committee appointed accordingly.

Bathing in the Thames.] Mr. *Wynn*, in pursuance of his notice, rose to move for leave to bring in a Bill for repealing a clause in the Thames Police Act prohibiting persons from bathing in the river Thames, from the East India Docks to Battersea-bridge, after the hour of seven o'clock in the morning, and before the close of day. He observed that, upon reading over the Bill in question, he was never so much surprised as in meeting this clause, for, from the code of the Bill, it appeared to be an Act "for the more effectual prevention of depredations on the river Thames." There was not one word stated about bathing, nor did he believe the House in general were at all aware that it contained such a clause as that to which he referred. This Bill was introduced to the House on the 21st of July last, at the close of the session; it had never been printed, and, in fact, its contents were little, if at all known. The clause in question, and which he trusted the House would agree with him in repealing, gave to the magistrates appointed to superintend the police of the Thames, a power to issue notices, forbidding persons to bathe within the hours and the district which he had mentioned, and to fine any individuals who should be found offending against such orders. He apprehended, that by the common law of the land, any indecent exposure of a man's person, whether on land or water, was a punishable offence; and consequently it was not necessary, merely for the purpose of preventing such a practice, that any new law should be enacted. He knew not, indeed, upon what principle the House could be called upon to deprive the community at large of a comfort, which he considered bathing to be, so long as it could be enjoyed without inconvenience to the public. The practice was, in fact, in this great metropolis, essential to the preservation of health; and for his own part, he felt more satisfaction in witnessing such amusements than in any other, because the persons who were participating in them, were attaining a knowledge which might operate not alone as a safeguard against danger to themselves, but as a safeguard for the lives of their fellow-citizens, who might not have acquired the same art. He would ask, were the Westminster boys, who had hitherto enjoyed this recreation without comment, and who were to be seen throughout the summer stripping on the banks of the Thames, to be stopped all at once from this source of health? In foreign countries, so important was the art of swimming considered, that schools were established for its encouragement; and its usefulness was so manifest, that any gentleman who for one moment considered the subject, would, he was sure, agree with him in thinking the clause in question, which had nothing in the world to do with the Bill into which it had been introduced, ought to be repealed. It appeared to him that this was one of those melancholy evils which resulted from an itch for legislating which prevailed in the subordinate offices of the State. The hon. gentleman concluded by moving, "for leave to bring in a Bill to repeal so much of the Thames Police Act as relates to the Bathing in the Thames."

Mr. *Addington* said, it was not his intention to oppose the motion; but he begged leave to say a few words, explaining the reason upon which the clause had been introduced into the Bill. Several applications had, from time to time, been made to the office in which he had the honour to act, by persons in a most respectable rank in life, complaining of this custom of bathing having lately been carried on in divers parts of the river side to such a height, that it had become an absolute nuisance and annoyance not only to their individual families, but to the public. These applications had induced him to give a sanction to the clause, not to prohibit bathing, as the hon. gentleman had represented, but to give discretionary power to magistrates to punish indecency, carried to the height which had been complained of, by giving notice that in any places where persons were guilty of a nuisance in the act of bathing, they would be punished. He did not, however, object to the motion.

Mr. *Wynn* said the notices were general, and extended from Blackwall to Battersea.

Sir *John Newport* objected to arming the magistrates of the city with such a power as the present law gave them. He knew not why persons were to be deprived of the exercise of an amusement so salutary as that which had been alluded to by his hon. friend, and had only to lament that the Bill in question had been introduced into the House at such a period of the session as deprived the members of the opportunity of giving it due consideration.

Mr. *Harvey* said, he would not oppose the motion in its present stage; but as he lived in the neighbourhood of the Thames, he had an opportunity of witnessing the disgraceful scenes which were presented to the public, and which, in his estimation, loudly called for the interference of the Legislature. Some measure was certainly necessary to correct this evil; and he trusted, if the hon. gentleman proposed to repeal one clause, he would suggest another, which would at least secure the public from a repetition of the nuisance to which he had alluded.

Leave was given to bring in the Bill.

AMERICAN SLAVES.] Mr. *Horner* said, that during the progress of the negociations at Ghent, he had put a question to the Chancellor of the Exchequer, for the purpose of learning from him what information was possessed by Government on the subject of certain allegations made by the Government of the United States, respecting the mode in which the war had been conducted in America. It had been publicly stated, that we had by proclamation tempted the slaves to run away from their masters; and that after they had sought the protection of the British forces, we had sold them again as slaves. The right hon. gentleman had stated at the time his conviction that there was no foundation whatever for the statement, but that he would immediately set on foot an inquiry into the subject. He was extremely anxious that this matter should be cleared up. It had not only been asserted in a message to Congress, by the American Secretary of State, but it was also said that the documents on which the statement rested had been sent to the commissioners at Ghent, for the purpose of being communicated, if necessary, to the commissioners of this country. He should be happy if ministers could now give a denial to the whole of the charge.

Mr. *Goulburn* said, that immediately after this charge was made known to him, he had addressed a note to the American plenipotentiaries, requesting them, as the abolition of the Slave-trade was a point on which they were equally interested with this country, to communicate the evidence of which they were in possession, that it might be in our power to bring our officers, if guilty, to punishment. It did so happen that the American ministers did not think themselves justified in communicating the information with which they were furnished. But at the same time, in a conversation with one of the gentlemen, he had expressed his willingness to furnish him (Mr. Goulburn) with the information on which the charge was founded; and he had the satisfaction of learning, that it rested on the affidavit of a single individual, who swore that he knew of a slave having been carried in an English ship of war into the Bahamas, whom he saw afterwards sold to an individual there; and that he had heard that this was a constant practice. As this affidavit contained the name of the individual to whom the slave was alleged to have been sold, and other particulars, it became an easy matter to ascertain the truth of the charge; and instructions had immediately been sent to the governor of the Bahamas, to inquire into the whole circumstances of the case. An answer had not yet been received, though they were in daily expectation of one; but before the House should separate, he expected to have it in his power to satisfy them on this subject.

Mr. *Horner* expressed himself satisfied with the course of conduct which had been pursued. It gave him the sincerest pleasure to learn that a charge of so serious a nature, affecting the character of the army and the country, rested on so slight a foundation.

New Post-Office Bill.] Sir James Shaw appeared at the bar with the report of the Post-office Bill, which he was proceeding to bring up, when the Speaker informed him that the question was not yet put.

Mr. *Atkins Wright* said, he should object to this report being received at all. He could not consent to impose any additional burthens on the public, unless there was an absolute necessity for such a proceeding; and as he was not satisfied that the erection of a new Post-office was indispensable, he should oppose the appropriation of the public money to such an object. The business of the Post-office was at present carried on with the greatest degree of celerity; and for his own part, he saw no necessity for alteration. It was possible, that advantageous alterations might be made, but those ought to be postponed to a convenient season.

Mr. *W. Smith* objected to the situation in which it was proposed to place the new Post-office, as it would be in the way of the greatest improvement that could be made in the metropolis, that of making a street strait from Blackfriars-bridge (by removing Fleet-market) to the northern road. He could not approve of expending 200,000*l.* on a new Post-office, while Somerset-house remained in an unfinished state. If the works there were completed, he thought it possible room might be found for the Post-office. Some alteration in the Post-office, he admitted, ought to be made.

Mr. *Barclay* opposed the bringing up the Report, from an unwillingness to vote away the public money, on works of mere ornament or magnificence, whilst the country was burthened with such heavy impositions. To erect such a building as that proposed in the centre of a suffering population, would carry, in his opinion, the appearance of an insult on the difficult circumstances to which an unavoidable war had reduced them. He had heard of the liberality of the City, but he confessed he could see very little of it in this affair.

Mr. Alderman *Atkins* defended the proposed improvement, and the manner in which part of the expense was to be met by the city of London.

Mr. *Gordon* said, the sum offered by the city of London was a delusion. In point of fact, the city would not pay more than 12,000*l.* towards the undertaking, while they threw a considerable burthen on the neighbouring counties.

Mr. *Protheroe* thought the improvement contemplated the most economical plan that could be acted upon.

Mr. *Bankes* lamented that it had been deemed necessary to introduce this Bill at the present moment, when the nation was so heavily burthened. At any rate he thought the House was not yet sufficiently informed upon the subject, and that it ought to be postponed until next year. He believed that a trifling addition to the present Post-office would be quite adequate for the present purposes. He adverted to several unnecessary expenses in public buildings, particularly at the Transport-office in Cannon-row, which was ornamented by a colonade of Ionic pillars and a basement story of Portland stone. The Mint, also, after 300,000*l.* had been expended on it, and eighteen private houses erected within its walls, it appeared, wanted a still further sum to increase its public offices. From thus considering the expenditure of the country, he felt a decided objection to the adoption of a measure like the present, which at all events he thought it would be well to postpone. With this view he would propose as an amendment, "That the Report be received that day three months."

Mr. *Lockhart* supported the amendment, on the grounds, that the pressure of the times required a strict attention to public economy. Besides, if means were necessary for a purpose of great local improvement, why not draw them from some of those great city funds, the application of which had been, from a variety of causes, diverted from the original intention of the donors? For instance, large sums were appropriated for the redemption of Christian captives in Algiers, and he had not of late years heard that any such persons had been so released. If a liberal contribution were called for, why not afford it from some part of this local purse, which would be particularly augmented by the adoption of the measure, instead of drawing it from the public, under the present state of the country?

Mr. *Holme Sumner* was of opinion, that if a new post-office must be erected, there could be no better spot chosen than Somerset-house, in which case that building could be put in a state of architectural completion. Much had been said of the unwholesome nature of the situations in which the present office was compelled to transact its business; and yet when Mr. Freeling was examined upon this point, he admitted that no argument in favour of the alteration could be drawn from the existing state of health of those who were employed in the various departments. The hon. member then took a review of the proceedings of the city of London, when they caused the London-bridge toll to be taken from their own backs, and placed on those of their neighbours, and maintained, that at a moment when five million of subsidy was about to be transmitted for the common defence of the country, such a principle of local taxation as that which the present measure imposed, ought not to be admitted. Nearly 1,000,000*l.* had already been drawn from the public for such purposes; there was 500,000*l.* for new streets, 3 or 400,000*l.* for this post-office, 35,000*l.* for a penitentiary-house, and 30,000*l.* for the colonade in Cannon-row. The aggregate of these sums would be sufficient for a two-months subsidy at least, and there were moments when the ready payment of such a sum would probably terminate a campaign, which otherwise would be incomplete. He was therefore decidedly hostile to the measure.

The *Chancellor of the Exchequer* said, that if he had thought it possible to save the money that would be expended in the erection of a new post-office, in his responsible situation he should have been most anxious to do so; but after the fullest inquiry, and the most patient examination of witnesses, he had been reluctantly compelled to decide in favour of the measure. The sum expended on this post-office would repay itself in a very short time, and there seemed a great probability, that by the arrangements which the new building would facilitate, an increase in the revenue of 50,000*l.* would, at no great distance of time, take place. On the ground of public economy, therefore, the measure was justified. As to the application of the local fund at the disposal of the city of London, it was but fair that the local improvement should be paid for out of the local fund. The public, who would receive the greatest benefit, would contribute the largest share, and the city of London would contribute that proportion which was a fair compensation for the benefit it would receive from the improvement in point of convenience and appearance, from opening an avenue in that part of the town where the office was to be built. A further delay would much enhance the expense of purchasing the site, and the public would pay at a most ruinous rate of interest for the saving which might be occasioned by that delay. An objection had been made to the application of money from the Orphans' Fund; but that fund, whatever was its origin, was at present to be regarded in no other light than any other local fund; many of the same nature existed in the ports of the kingdom: the duty by which it was supplied, sixpence on the chaldron of coals brought into the port of London, was scarcely felt: a proof of which was, that no one had experienced any benefit from the repeal of the war-duty to a much larger amount, viz. 3*s.* a chaldron. As the post-office must be rebuilt, and as no equally good situation could be found, he thought the House had strong reasons for agreeing to the Report.

Mr. *Rose* said, that in the opinion which he gave, he was entirely guided by the previous recommendation of the committees which had sat on the subject. If the present post-office was decided to be inadequate for its uses, the balance of expense between its enlargement and the erection of a new one, was, in his opinion, in favour of the latter, from the many advantages which it embraced.

Mr. *Browne* defended the decision of both committees, which had fully entered upon every consideration relative to this question, although they had heard every thing which was pertinaciously urged in opposition by the hon. gentleman near him (Mr. Sumner), and also by the hon. member for Taunton (Mr. Baring), who he supposed had altered his opinion on the subject, as he no longer persevered in his opposition.

The House divided, when the numbers were:—For receiving the Report, 56; Against it, 16:—Majority 40. On the motion of the Chancellor of the Exchequer, the Report was ordered to be received on Monday next. The Chancellor of the Exchequer then moved the order of the day for the House resolving itself into a committee of supply. In the committee, the right hon. gentleman moved, "That a sum, not exceeding 240,000*l.* be advanced from time to time out of the revenue of the Post-office of Great Britain, for defraying the expense of providing a site for a new Post-office, and making proper avenues thereto; one third part whereof shall be repaid to the said revenue from the Orphans' Fund."

Mr. *Gordon* observed, that some delusion must have been practised on the House, as it was understood that the whole expense to the public, both for the purchase of the ground and the erection of the building, was to be 240,000*l.*

The *Chancellor of the Exchequer* observed, that there was a deduction made in the estimate on account of the value of the present Post-office materials, and the ground on which it stood.

Mr. *H. Sumner* thought it should be distinctly understood, before the House voted a large sum for clearing the ground, what was to be the building to be erected on it. No plan had been before the committee of the upper stories of the building; and he much suspected that those parts would be occupied with apartments for the officers, which, besides being an indirect increase of their salaries, would by augmenting the number of residents increase the danger of fire.

Mr. *Grenfell* read a part of the Report, which distinctly stated that the whole expense to the public would be only 240,000*l.* both for the site and building of the new Post-office.

Mr. *Bankes* observed, that such would be the amount (it was true) of the ultimate expense; but in the mean time the purchase-money must be provided, which would be reduced by the re-sale of part of the ground, by the contribution from the Orphans' Fund, and the value of the old Post-office.

Mr. *Gordon* urged the propriety of building the Post-office at Somerset-house, where there was sufficient ground already in the hands of Government.

Mr. *Wrottesley* thought the space vacant at Somerset-house would be quite inadequate to the extent of the building required.

Mr. *H. Sumner*, on the ground that the sum of 240,000*l.* would not be required till the exact extent of the building to be erected was determined on, proposed an amendment, that the sum of 100,000*l.* be voted for the purpose above mentioned.

Mr. *Butterworth* observed, that the sum of 240,000*l.* would be paid, not all at once, but by instalments.

After a few words from Mr. Pole Carew, Mr. H. Sumner, and Mr. P. Grenfell, the amendment was negatived, and the original grant was carried.

The *Chancellor of the Exchequer* next proposed, that the parish in which the new Post-office is to be erected shall be compensated out of the revenue of the Post-office, for the diminution of parochial and other rates, for paving, lighting, &c. which may be occasioned by the houses to be pulled down.

This proposition was opposed by Messrs. Calvert, Gordon, Sumner, Grenfell, and sir M. Wood, on these ground:—that no estimate of the amount of the proposed compensation was presented; that in fact no indemnity was due for poor's-rates, because as the houses were to be taken down, if the amount of the poor's-rates were reduced, there would be also a proportionally diminished claim upon those poor's-rates in consequence of the reduced population; and also that there was no precedent for such claims; nothing of the kind having been ever suggested in Westminster, upon the removal of so many streets to make room for the recent improvements.—The Chancellor of the Exchequer argued on the other side, that it would be unfair to allow the funds of a particular district to suffer a severe loss, by the creation of an establishment for the public good, and that there was a precedent for this proposition in the case of the new gaol of the City.—A division took place: For the motion, 52; Against it, 21: Majority, 31.

Chapel Exemption Bill.] On the motion of the Chancellor of the Exchequer, the Bill "to exempt churches, chapels, and other places of religious worship from parochial rates," was recommitted.

Mr. *Wrottesley* said, it was his intention to propose a clause, that no chapels which should be built hereafter, should be exempted from the payment of parochial rates, unless in every chapel a certain number of free seats were provided, proportioned to the size of the chapel.

General *Thornton* was extremely averse to giving patronage to dissenters; he considered that the Bill would be injurious both to Church and State. He then moved to leave out the words 'meeting-houses,' and to insert in their stead, 'chapels according to the established religion.'

Mr. *H. Martin* begged to know whether the hon. general meant that chapels not conforming to the established religion, should be subject to the payment of poor-rates?

General *Thornton* said, he objected to the principle of the Bill, and would oppose it in every stage. He had a great dislike to the levelling system, and thought it improper to throw additional rates on parishes. The Bill was brought in by the Chancellor of the Exchequer; but he hoped it was not a measure of administration. He was not for giving such encouragement to dissenters, by making the persons of the established church pay for the rates of meeting-houses. It would be much better to throw them on the public.

Mr. *Martin* said, that if such were the sentiments of the hon. general, he ought to have opposed the introduction of the Bill.

Mr. Serjeant *Onslow* observed, that there never was an amendment more hostile to the principles of a Bill. He perfectly agreed with the opinions of the Chancellor of the Exchequer, and thanked him for bringing the Bill forward. If the hon. general meant to make the Bill ridiculous, he was perfectly right in proposing his amendment; but he hoped he would stand single.

Mr. *Protheroe* supported the Bill, as he thought it would remove a very galling distinction now subsisting between two classes of the community.

The *Chancellor of the Exchequer* defended the introduction of the Bill as relieving a number of meritorious individuals from considerable vexations, and by no means infringing upon any parochial privileges. At the same time he did not wish to be considered as giving any other weight to the measure than what it might justly derive from its own merits.

Mr. *Davies Giddy* considered the Bill a matter of conciliation, and that it ought to be adopted. He observed, that the rates arising from places of worship were inconsiderable.

General *Thornton* stated, that in one parish, that of St. George's, Hanover-square, the amount was 151*l.* 18*s.* 4*d.* He did not at all desire to infringe on the Toleration Act, but he thought this Bill extremely injurious to the established religion.

Mr. *Bankes* observed, that as many chapels were built in the west end of the town, on speculation, and for the sake of profit, it was perfectly just to compel the payment of rates. If those parochial rates were not enforced, it would be putting so much the more money in the pockets of the proprietors. He thought that the clause to be introduced by the hon. gentleman (Mr. Wrottesley) respecting free seats, should not be prospective only, but also retrospective.

Mr. Serjeant *Onslow* was a strong friend to the Established Church, but he could not look on this Bill in the light in which some gentlemen had viewed it. As to free seats, he perfectly agreed with the clause which the hon. member was about to propose.

General Thornton's amendment was then put, and rejected. Mr. Wrottesley then brought up his clause, which was carried. General Thornton next moved, that the words ' or for the gratuitous instruction of the poor,' should be omitted. After a few words from the Chancellor of the Exchequer, Mr. Martin, and general Thornton, the motion was put, and negatived. The report was then brought up, and ordered to be taken into further consideration on Monday.

Foreign Soldiers Enlistment Bill.]—The order of the day being read, for taking into further consideration the Report from the Committee of the whole House, on the Bill " to continue two Acts of his present Majesty, for enabling Subjects of Foreign States to enlist and serve as Soldiers in his Majesty's service, and to enable his Majesty to grant Commissions to Subjects of Foreign States to serve as Officers, under certain restrictions,"

Lord *Folkestone* observed, that the present Bill was one of the most serious importance, considered in a constitutional point of view, as its object was to admit 16,000 foreign soldiers, commanded by foreign officers, into the kingdom. The Bill likewise differed from the former, inasmuch as the present authorized the introduction of such a force during any war, while the former limited it to that during which it had been enacted. But, not satisfied with admitting those foreigners into the kingdom, to enjoy rank within their immediate corps, the Government had given them commissions in the English army, and had advanced them to the rank of generals commanding brigades and districts. On what principle was it, that while Englishmen of rank and fortune were prevented by the rules of the service from arriving so suddenly at the head of the army, these foreigners should be exempt from their operation; and, having entered the service as lieutenant-colonels, be advanced to the rank of generals? At the commencement of the French Revolution, private persons were permitted to raise regiments, in which they held the temporary rank of colonels, but were at the same time precluded from the possibility of promotion, in consequence of the nature of their commissions. Among others he noticed lords Uxbridge, Craven, and Lynedock, each of whom was compelled to resign his temporary commission, entering the service *de novo*, and passing through the regular gradations, in order to obtain the capability they before wanted. From this necessity the German officers were exempted, while our own were compelled to submit. Sixteen Germans were now generals in our service, which he conceived a great hardship to British officers. On the late regulations with regard to the Order of the Bath, ten Grand Crosses were reserved for foreign officers in our service. The present Bill he conceived to be contrary to the Act of Settlement, and he would therefore move, " That the Report be taken into consideration that day three months."

Lord *Palmerston* thought the House would hardly entertain the noble lord's proposition, which went to cut off 20,000 men from our army, at the very moment when the country was again at war. As to the other observations of the noble lord, it would be very hard if the German officers in our service were to lose that rank in peace, which they had merited by their conduct in war.

Mr. *H. Martin* thought it rather alarming for the House to hear, that at no period, even of peace, these foreign officers would cease to belong to the British army.

Lord *Palmerston* explained, that all that was meant by this Bill, was to continue the services of German officers, as we were now at war. The Act was limited to the return of peace.

Lord Folkestone's motion was then put, and negatived. Several clauses were introduced into the Bill, which was ordered to be read a third time to-morrow.

HOUSE OF LORDS.

Friday, June 2.

Roseberry Divorce Bill.] The Marquis of Lansdowne moved the third reading of the Roseberry Divorce Bill.

Earl *Stanhope*, after adverting to the discussion which had taken place relative to certain clauses in the Bill, especially the clause declaring any marriage between the offending parties illegal, said, that he had thought it most proper to refrain from taking any part in that discussion, because, as it had been asserted that the case was already provided for by law, he conceived it would be right previously to examine how the matter stood. He now found that there was such a law,—an Act, 32 Henry 8, by which such a marriage was in effect declared illegal. If that was the case, the clause on that point in the Bill was improper; because, in the first place, it was useless; and in the next place, because to declare that to be law which was already clearly so, only weakened the law's authority. If the lawyers should affect not to understand this Act, the plan would be to pass a general declaratory bill, and not introduce such a clause in a bill proceeding at the instance of a private individual.

The Bill was then read a third time, and passed.

HOUSE OF COMMONS.

Friday, June 2.

Paupers' Removal Bill.] Sir Egerton Brydges moved the second reading of the Bill to prevent the Removal of Chargeable Paupers, till a final adjudication of their respective Settlements.

Mr. *Atkins Wright* objected to the Bill, not because he was adverse to the principle, but because he feared that its provisions were impracticable. He thought that the whole of the Poor Laws required a revision; and that till some clear and comprehensive alteration of the whole could be made, it was in vain to apply partial remedies, and patch up a faulty system. He was afraid that the clause, which gave opportunity to parishes to be heard in the first instance against an adjudication by which they might be fixed with the pauper's settlement, would foment, instead of allaying litigation, and would be attended with a great deal of trouble both to parishes and magistrates.

Mr. *Nicholson Calvert* was favourable to the principle of this Bill; but he feared that the complexity of its machinery would render it far less beneficial in its effects than the hon. mover supposed. He dreaded the number of hearings and re-hearings that it would cause: he was afraid that it would stir up attornies in the first instance, to contend with one another, and that the time and attention of magistrates would be consumed in judging between opposing interests, which would have no other good effects than in filling lawyers' pockets. He wished well to the measure, if it could be exempted from these objections.

Mr. *Western* disapproved of this measure, as he had done last year, *in toto.* He saw in it endless difficulties: he could not comprehend its machinery; and if he could, he could not see *cui bono* it was created. He thought that parishes might thus be called on to oppose, at a great expense and inconvenience, adjudications before magistrates; and the consequence might be, that it would turn out that the pauper's settlement was not with them, but with some third parish; and so it would be proved that they never ought to have been summoned. And then another parish might be called on in the same way; and so it might go on from parish to parish. He therefore highly disapproved the Bill.

Mr. *Wynn* really felt sincere reluctance at giving his opposition to any measure which had in view so beneficial an object, as that proposed by the hon. mover of this Bill. But he much feared that the present Bill would have a very contrary effect from that which was contemplated. The clause which provided for calling on parishes to resist adjudications, was pregnant with seeds of contest and trouble. He thought that if removals did not take place, as now, in the first instance, parishes would lose the benefit of ascertaining a pauper's identity by his presence among them; and that they ought not to be put to the expense of taking a long journey to cross-examine a pauper, and satisfy themselves by a personal examination. As the law now stood, the pauper was brought home to their doors for this purpose, and they had all the benefit of it in case of appeal. For thus they could better judge, whether there was ground for such appeal: while, so long as he was in the custody of the removing parish, they could not have an equally free and impartial examination of him.

Sir *Egerton Brydges* was not a little surprised at the arguments which had been urged in opposition to this Bill. He rather thought hon. members must have totally misunderstood both its nature and provisions. Its principle was founded on the most incontrovertible justice. It would scarcely be contended in these days, and it did not seem to be contended, that it was right to expose a pauper to be bandied about from one end of the kingdom to the other, upon an ex-parte adjudication, which was liable to be reversed; when all this cruelty, and all this expense, would be incurred for nothing: and when in case of appeal, whether the order was reversed or confirmed, the pauper would be called back again from the place to which he was removed, at best, in the character of a witness. But it was contended, that the machinery to effect this amendment was complex. He really doubted, if hon. members who made this accusation could have attentively read the Bill. There was no complexity in the machinery; there was not even novelty except in one clause, which was so far from being essential to his grand object, that it might be struck out without leaving the smallest chasm. Indeed, the clause alluded to, which gave occasion to all the arguments that had now been urged against the Bill, was not his own: it had been inserted in his Bill of last year, at the instance of the learned member for Oxford (Mr. Lockhart), and adopted in substance, but a little simplified in its manner, in the present. This clause provided, that after a first examination into a pauper's settlement, justices should give notice to the parish where the pauper's settlement appeared to be, that they would proceed to an adjudication on a future day, in order to give such parish an opportunity of being heard in opposition to it, if they chose so to do. This provision appeared to sir E. to be salutary. It was now urged, that it would tend greatly to increase expenses, and to encourage litigation in a premature stage: that attornies would be called into battle against attornies; and that witnesses would be brought from one end of the kingdom to another, to contend before magistrates in petty session, who would be bewildered by conflicting arguments, and after all make decisions which would be still liable to appeals, and expose the parties, at another great expense, to agitate the question over again at a quarter-sessions. The member for Essex (Mr. Western) was alarmed at still additional evils: he conceived that all this premature battle might end in the discovery that the parish, thus urged to contend at great trouble and cost, had nothing to do with the pauper; and that the settlement was in some third parish. But did the hon. gentleman forget that such a discovery would not have been made but for that contest? And that if the parish had avoided the evils of this opposition, they must have had the greater evil of supporting the pauper himself, so erroneously thrown upon them, till they could get rid of him on appeal? But if it was the opinion of this House, that the evil of this clause was greater than the good; if it was fairly liable to the objections thus brought forward, surely it afforded no ground for condemning the whole Bill: it might be struck out in the committee, without the least affecting the unity or principle of the Bill. For his own part, he had no wish to adhere obstinately to it: he would willingly sacrifice it, rather than create even a doubt on the other parts. As to the latter, he implored the House again to cherish the great object he had in view. He pressed upon their attention the anomaly which the law, as it now stood, exhibited on a subject affecting the essential happiness of perhaps not less than one-third or one-fourth of the whole population of England. On other points, even of the most trivial nature, no judgment could be obtained upon ex-parte statement, or ex-parte evidence; nor could any judgment be executed till after appeal, or till the time of appeal had expired.

But here, on a question, on which depended the well-being, the domestic comforts, the moral feelings, the power of independent livelihood, the very character of almost every poor person in the kingdom, and perhaps his posterity for generations, an ex-parte decision was made, probably on the most imperfect evidence, to be carried into instant execution! Upon that decision a pauper, his wife, and his children, were to be packed off like felons for transportation; lifted into a cart, and dragged away from their home, to be a mark for the finger of scorn, through half the villages and towns, perhaps from the eastern point of Kent to the Land's-End! Is this enormous evil still to go on, after it has once been brought under the consideration of Parliament? Are minor difficulties, if such exist, to stand in the way of an amendment, for which there is such an imperious call? Can little objections about machinery, even if real, much less if imaginary, stand in the way of an endeavour to take away injustice of so extensive a nature? But where are the obstacles? Is there any obstacle to the effecting the delay of an order of removal? Is there any machinery required for a passive act—an act of omission? It could not be said, that this measure had been hurried through the House. The whole of it was involved in that Bill, which he had last year the honour to introduce; and which, after much discussion, had passed through every stage except the third reading; and which last step he had declined to move, merely because the House had arrived within two days of the termination of the session; when it was obvious, that if it passed here, it could not have time to go through the Lords.

There had been urged an argument in favour of the existing law, with regard to immediate removals, and which filled him with some surprise. It was said, that a parish to which a pauper was adjudged, ought not to be deprived of the benefit of ascertaining his identity by his presence among them. Could it be seriously contended, that any number of settlement cases turned on questions of identity?—Nay, was it within probability, that a single instance of that kind could occur? How many scarce possible coincidences must there be to create such a case? A pauper, to effect this, must fix on some parish for his settlement, where he must first be aware that another of his own name had been at some time or other settled; and then invest himself in at least the colourable circumstances of that man's person and life! But were this question not only possible, but probable; can it be believed, that a parish would wish to purchase this benefit of examination, such as it is, at the expense of having a pauper and his family to support till they can get rid of him on appeal; when, according to the Bill now in discussion, all that intermediate burthen would be totally taken away from them! He once more, therefore, intreated the House, that if they admitted the principle of this Bill, they would allow it to be now read a second time; and if there were any objections to the clause, or the machinery, they might be argued, and altered in the committee.

Mr. *Horner* thought the hon. baronet deserved the respect and thanks of the House for the pains he had taken, and the unshaken assiduity with which he had given his mind to a measure of such vast importance to the community. It was therefore with great reluctance, that he felt himself compelled to differ with him as to the means which this Bill provided for effecting his purpose. He was much afraid that it would not answer the end proposed. The machinery appeared to him liable to great objections, inasmuch as it seemed rather to encourage, than to appease litigation: but if it really would cut short litigation, it would only hasten the time at which the pauper might be removed; an event, which it seemed one main object of the hon. mover to delay. He should be most happy, if the great amendment in view could be brought about: but he really feared, that practicable means of effectuating the desired object had not yet been devised. The hon. member threw out a hint by which he thought the object might in part at least be effected, free from the difficulties which struck him in the present Bill.

Mr. *Lockhart* was somewhat surprised at the suggestion of the hon. member who spoke last, because he himself had, in a former parliament, brought in a bill containing precisely the same plan as that which the hon. member now proposed, which had the misfortune to experience his decided opposition to it; and the bill was unfortunately thown out. He himself did not approve of all the machinery of the present Bill. He thought a great deal of evil and wasteful contest might arise from the clause which gave opportunity to parishes to oppose adjudications in the first instance. But as he approved the principle of the Bill, he should not oppose the second reading.

Mr. *Whitbread* had always been in favour of bills to ameliorate the condition of the poor. He had supported the hon. baronet's Bill embracing similar objects last year, and he should support this. He must say that its machinery did not appear to him as practicable as he could wish; but he begged the hon. baronet not to be discouraged: it was impossible but that the agitation of such questions should do a great deal of good. The public mind was thus, step by step, drawn to a due attention to objects which required their continual deliberation. He himself had not been so fortunate as to carry the great measure which he proposed some years ago with similar views: but he did not repent of the attempt; nor did he doubt that, though it failed, the very discussion of it had produced important benefits. As to the great schemes of general revision which hon. members talked of, and the arguments for delay which they founded on them, he considered them as nothing more than plausible pretences, to get rid of a measure altogether. It was only by touching small parts at a time that we could hope gradually to amend a branch of the law so complicated, so wide, and involving so many conflicting interests. He should therefore certainly vote for the second reading of the Bill, thinking that if there were objections to its details, they could be best discussed and altered in the committee.

The House then divided: For the Second Reading, 55; Against it, 23: Majority in favour of the Bill, 32.

ARMY ESTIMATES.] The House having resolved itself into a committee of supply, to which the Army Estimates were referred,

Lord *Palmerston* said, he should merely state to the House, in a general way, the nature of the arrangements relative to the army. He had, in the first instance, made an estimate founded on the establishments at Christmas last, and then he had stated the augmentations which had been made since in consequence of the rupture with France; and the House would thus be enabled to see what increase had been made in consequence of the general state of our relations with France. There was, upon the whole, a decrease in our establishments of this year, compared with those of 1814, of 47,000 men, and 2,652,000*l.* of charge. The total amount of Land Forces at Christmas last was 199,252, for which the charge was 5,587,706*l.* for Great Britain, and 1,134,173*l.* for Ireland—in all 6,721,880*l.* But since the rupture with France, there had been an augmentation of 9,148 men, and 317,219*l.* of charge, leaving the balance of diminution in favour of the present year, of 47,000 men and 2,652,000*l.* of charge. On the Household troops there had been a reduction of 1200 men. The regiments of Cavalry were first reduced after the peace, on account of their great expense; each regiment was reduced to eight troops of 60 men each. The number of regiments of Infantry had been considerably reduced—24 second battalions had been entirely disbanded. The whole reduction arising from this, without considering the augmentation which had since taken place, amounted to 22,000 men. The next head, the Embodied Militia, could not be compared with the estimate of last year. With respect to the next head, the pay of General Officers not with regiments, this was founded on the arrangements of last year, and could not be compared with former accounts. In the next head, of Staff and Garrisons, a reduction of 237,000*l.* had taken place, of which 98,000*l.* was for the Home Staff, and the remainder for the Foreign Staff. He would state the comparative amount of the Staff now, and as it stood the former year. The Staff of 1815 was less even after the late augmentation than in 1814, by an amount of 39 general officers.—The increase on the head of Pay for Supernumerary Officers, ran to 6,000*l.* The head of Half-pay and Military Allowances had experienced an increase of 38,000*l.* This was partly owing to the number of reductions, and partly owing also to the augmentation in the rate of half-pay.—In the head of Out-pensioners of Chelsea and Kilmainham hospitals, there had been an increase of 100,000*l.* arising partly from the disbanded second battalions, and partly from invalids. The Volunteer Corps had been diminished in expense 145,000*l.* The expense of the Local Militia was 27,6000*l.* less than in 1814. In the article of Foreign Corps there was a diminution of 10,000 men, and 383,000*l.* This arose principally from the disbanding four Foreign corps: the Brunswick infantry, which had gone to the service of the duke of Brunswick, Dillon's regiment, and the Chasseur battalion. In the Royal Military College there was an increase of 7,000*l.*, but of this 6,000 was only a nominal increase. There had, however, been an actual increase of something more than 1,000*l.*, of which 880*l.* was for a new building at Blackwater. In the Royal Military Asylum there had been a diminution of 3,000*l.* In the head of Retired Chaplains there had been a like reduction of 3,000*l.* arising chiefly from deaths. In the head of Medicines and Hospital expenses, there had been a diminution of 89,000*l.* on the estimate at last Christmas, but then there had since been an augmentation of 50,000*l.* over that estimate, leaving a balance of 39,000*l.* The increase in the Compassionate List amounted to 17,000*l.* In the Commissariat Department of Ireland there was a total increase of 69,000*l.* On the Barrack estimate the saving was 208,000*l.* There were some other variations which it would not be necessary to go into at present. The augmentation in the Land Forces, since Christmas last, amounted in all to 9,148 men, and 384,000*l.* of charge. The augmentation to the Staff was 50,000*l.* Of this 6,000*l.* was for the Home Staff, and the remainder for the Foreign Staff. An additional major-general had been appointed on the home staff; the remainder consisted of medical officers, to be ready in case of any supply being wanted. A farther sum of 50,000*l.* would be wanted for Medical Stores. It only remained for him to mention the head of Officers attached to the Portuguese Army. This arose from their being detached from their regiment, and placed on unattached pay. He would take this opportunity of stating, that there would be one additional charge, which he could not yet submit to Parliament. It was in contemplation to make to officers marching with their regiments on home stations, an allowance corresponding to that made to soldiers on the same station. This was considered but equitable, as the officers were at such times deprived of those economical advantages which they might possess in stationary quarters; and it was thought better to give them such an allowance than to make a small increase to their daily pay, as the relief would thus come at the moment of the pressure.—On a general view, including the augmentation since the change in our relations with France, there was a diminution in the estimates compared with those of last year, without including the militia, which could not with propriety be taken into the comparison, but merely the land forces and foreign corps, of 47,000 men, and 2,652,000*l.* charges. He would not enter into further details, as it might be tedious to the House; but if any hon. member wished for further information, he should be happy in communicating it. The noble lord concluded with moving his first resolution: viz. "That a number of Land Forces, not exceeding 199,767 men (exclusive of the men belonging to the regiments employed in the territorial possessions of the East India Company, the Foreign Corps in British pay, and the Embodied Militia), commissioned and non-commissioned officers included, be maintained for the service of the United Kingdom, from the 25th of December 1814 to the 24th of December 1815."

General *Gascoyne* said, it was his intention to have moved for an addition to the half-pay of officers; but from the alteration of affairs, in consequence of the war, he did not think it necessary now to bring forward any motion on the subject, as he was apprehensive that if the half-pay was raised too much, it might deter those who had families from actual service. He wished to make a remark on the subject of officers' widows. It was the intention of the noble lord to put the widows of officers of the army on the same footing as those of navy officers. But though the same increase had taken place in the case of both, they were by no means on the same footing, because the officers of the navy had received an addition to their pay, at a time when no addition took place in the case of the army. It was understood that lieutenant-colonels and majors were on the same rank with post-captains under three years standing. Now the widow of a post-captain received 80*l.* and the widow of a lieutenant-colonel and major only received 70*l.* The whole sum requisite to put them all on the same footing would be 1,200*l.* He saw nothing in the papers on the table respecting the Commissariat.

Lord *Palmerston* said, this was always the subject of a separate estimate.

General *Gascoyne* proceeded to observe, that the noble lord had not stated whether the officers on half-pay on the Irish and English establishments were on the same footing. He wished also to know by what act the poundage on the pay of officers was raised. He wished to know whether the Portuguese officers received pay both from England and Portugal. With respect to the half-pay which had been granted to the army, according to the noble lord's construction, it had been limited to certain services. By this means a great many meritorious officers would be excluded from it, contrary, as he was convinced, to the intention of the House. The services in the Peninsula were certainly brilliant; but were those officers who had served in Egypt, America, and Flanders, to be precluded from the additional half-pay because they were not in the Peninsula? Many of them were on half-pay, not from their own choice. He wished therefore to move an additional allowance of 500*l.* to the widows of lieutenant-colonels, and of 700*l.* to the widows of majors.

Mr. *Bennet* wished to inquire into the expense of the Military College at Sandhurst. He had no objection to the establishment itself, but he had to the form which it seemed to assume, and which was calculated to give too much of a military tone to the character of the country.

Mr. *Wilberforce* thought the Military College highly beneficial to the country, from the instructive source of military education which it formed. It was surely essential that the officers in the service should have the opportunity of an extensive preliminary education.

Sir *John Hope* reprobated the general assertions in which Mr. Bennet had dealt, in his attack on the institution at the head of which he had the honour of being placed. The object, if properly executed, was most beneficial; it was open as day to inspection, and he should be happy to receive any hints that would be useful; as soon as any useful suggestion was made, the improvement would be attempted.

Mr. *Bennet* replied, that his objections merely went to the military tone which the form and manner of the school assumed, not to the general principle of the establishment.

Sir *John Hope* spoke highly both of the objects and success of the institution in question. At the commencement of the war we had been obliged to study military science under foreign masters; we had since, through the munificent aid of Parliament, acquired the means of obtaining that instruction within ourselves. Out of 276 students of one class, 114 either had served, or were now serving on staff departments. The time consumed in becoming acquainted with regimental drill, and the manœuvres of taking up ground for forming in line, did not exceed an hour, or half an hour in the day; the rest was devoted to pursuits becoming a gentleman as a well-informed member of society, or more immediately connected with the views of that profession to which it was intended the student should be trained. In addition to those branches of instruction in which he was supposed to have already made some progress, his attention was directed to mathematics, to fortification, to the principles of military survey, both practical and theoretical, to drawing, and, according to the abilities displayed, to an intimate knowledge of the French and German languages. The series of his studies was completed by a high finishing examination made by other masters than those under whose direction he had been, and it was those masters who finally decided whether his proficiency and qualifications entitled him to a commission without purchase in his Majesty's service. Of another class, 651 officers had already joined the army. The sum paid by an ordinary individual for these various advantages was 100*l.* per annum, but by officers, for their sons, the sum was proportioned to their own pay. He could conceive no system better calculated than the one of which he had attempted a faint description, to inspire the youths who should be educated under it, with a love and a veneration for that free branch and for those free principles of the constitution to which they were indebted, at least in so many instances, for cultivated minds, and brightened prospects. He could conceive nothing more likely to console a deserving officer than the knowledge that an asylum existed where his children might receive, at a charge proportioned to his means, the benefits of instruction, and a favourable opportunity of pursuing his own honourable profession.

Lord *Palmerston*, in answer to the inquiries of an hon. member, stated, that it had been agreed, after some difficulty, that the half-pay of the English and Irish establishments should be reciprocal, and that their respective officers, on removing, should receive the half-pay of the country in which they resided. The reason which had induced the exclusion of those officers whose service was anterior to the last war, or to the campaigns of the Peninsula, was, that there were a great number of inefficient officers, and it was difficult to come to the alternative of compelling them either to serve or to relinquish their commissions. In many cases there had been no real service, and the half-pay had been purchased as an annuity. With respect to the officers serving in the Portuguese forces, the various difficulties they had had to contend with, in rendering those troops fit for the field, appeared to justify the regulation by which they were allowed to receive Portuguese pay in addition to their own. In answer to a question put by another hon. member, he wished to observe, that the military establishment at Sierra Leone, had been formed on a plan recommended by the late member for Yorkshire; and its principle was, that as something must be done with the captured negroes, it was a favourable destination for them to be put on something like the level of a British soldier. The establishment consisted at present of 566 men, volunteers, and captured negroes, and of 104 boys. Afte what had been so well said by an hon and gallant friend, he should not enter into a vindication of the establishment at Sandhurst. He might be allowed, perhaps, just to say, that it might be a question whether we should have any army at all, but it could hardly admit of a doubt, that if we had military officers, they ought to be instructed and qualified, rather than ignorant and useless. The navy had already its seminaries; the artillery and the Indian army its public colleges. Was the British army alone to have no means of deriving a regular supply of efficient and educated officers? He should say no more at present than in reference to an observation which had fallen in the course of the debate, to state that an inspection had taken place in the buildings at Sandhurst, and that it was discovered there was little or no foundation for the rumour that the dry rot had seized the timber.

Mr. *Long* bore testimony to the benefits arising from the Military College, and explained the nature of the poundage which had been alluded to, and the authority by which it was drawn. It was done away in cases of full pay, and might hereafter be subject to limitation in other branches of the service.

Sir *M. W. Ridley* reprobated the maintenance of a volunteer cavalry, whose services were not equal to the expense. He was convinced of the utility of the Military College.

General *Gascoyne* expressed himself satisfied with what had fallen from the noble lord.

Mr. *J. P. Grant* explained the nature of Mr. Bennet's objection to the Military College, but applauded the general system on which it was conducted, and admitted its great utility. The pressing of waggons for the conveyance of baggage he believed had, in some instances, been carried to too great an extent, and some arrangement was in contemplation on the subject. As to the yeomanry, he thought this species of force was most valuable, not merely as a military force, but in aid of the Police, in which department it had been of the most essential service.

Mr. *Wilberforce* approved of the establishment of the black regiments, and suggested that this description of force should be put on the same footing as European regiments.

Lord *Palmerston* said, that they were on the same footing as whites, with the difference that two years of service in the West Indies did not reckon for three years—the ground for that distinction not existing in the case of these regiments.

Mr. *Wilberforce* said, he more particularly alluded to enlistment for a limited period, from which this description of soldiery was precluded. If the blacks were allowed to return, after à certain period of service, to their native country with their military habits and associations, they would necessarily increase the disposition among their countrymen to enlist.

General *Gascoyne* said, that in certain cases the blacks had been enlisted for a limited time.

Mr. *Wilberforce* thought the gallant general must have been misinformed, as there was a clause in the Act excluding the black troops from that benefit.

Mr. *W. Smith* thought it was due in justice to the blacks who when captured were placed in the situation of soldiers, without exercising any choice, to allow them, at any rate after a certain term of service, the alternative of further service or of return to their homes.

The Resolution was then agreed to. Several sums were then voted for the different heads of army expenditure, forming in all a total of 7,917,387*l.*

Army Extraordinaries.] The *Chancellor of the Exchequer*, in pursuance of his notice, rose to propose a vote to complete the Army Extraordinaries: he should state to the committee what sum he had thought fit to propose to cover that branch of expense for the present year, although from former experience he could not, with any confidence, assert the accuracy of the estimate which had been formed. Towards the army extraordinaries of the present year, three millions had already been voted; and it was now in his contemplation to propose a further vote of nine millions, making in all 12 millions for the army extraordinaries of the current year. This amount was calculated on three grounds; one ground of calculation was the amount of the expenditure for the first three months of the year, which had been 1,800,000*l.* From the renewal of the war, the ratio of expense would no doubt be much increased, though a diminution, on the other hand, would take place, by the return of the troops from America. Though the increase would be very great on the Continent, he calculated it could not be more than double the present expenditure. A second ground was, the probable expenditure under the different heads in the different parts of the world. The probable expense of the British on the Continent, including compensation for that part of our contingent, would be 500,000*l.* per month, or six millions in the year. In America and the West Indies, the amount would be, perhaps, 3,000,000*l.*, and 3,000,000*l.* would be further required to pay the debts contracted, and the extraordinaries of the army in the Mediterranean; this would amount to 12 millions. The other ground on which it was calculated, was the expense of the last years of the former war; and looking to the expenditure of the years 1812 and 1813, excepting the arrears of the former years, it would be found to be between 12 and 13 millions a year. From those three calculations an approximation might be formed, and he would put it to the judgment of the committee, whether the sum he proposed was too small. That it was too large, he believed no one would be inclined to imagine. That the sum was great, he allowed; but on considerations both of policy and economy, a great effort, which might bring the contest to a speedy conclusion, was advisable. To vote a smaller sum, would lead to disappointments in future, and to present embarrassments. He concluded by moving, "That a sum not exceeding nine millions, be granted to his Majesty, for further defraying the Extraordinary Expenses of the Army of Great Britain and Ireland for the year 1815."

In answer to a question from Mr. Tierney,

The *Chancellor of the Exchequer* explained, that on a former occasion he had proposed six millions on account for the extraordinaries of the present year, and four millions to pay off arrears. The right hon. gentleman had objected to the vote on account, and a sum of three millions only, which was the expense then supposed to have been incurred in this year, was voted, together with the four millions for arrears. It was found, however, that the actual expense had only been 1,800,000*l.* up to March, the time when the vote took place. The remaining 1,200,000*l.* was applied to other purposes.

Mr. *Tierney* observed, that the rest of the three millions voted for army extraordinaries must have been applied to purposes not connected with the army extraordinaries. The introduction into the army extraordinaries of sums not connected even with the army, was the great cause of confusion in those accounts, and the obstacle to a clear understanding of their amount. It was in vain, however, to talk of finances at the present moment—for an effort was to be made at any rate; expensive, no doubt, it was; whether it would be effectual, would be seen by-and-bye. But this he ventured to say, that if we proceeded at our present rate of expenditure, the House should have some reason before it sanctioned it, to believe that the war would be concluded even before the end of the present year.

The *Chancellor of the Exchequer* said, that the foreign expenditure being all entrusted to the commissaries general, the sums paid could not be divided into the heads of ordinaries, extraordinaries, &c. until the accounts were brought to this country. The greatest part of the 1,200,000*l.* which remained out of the three millions voted for army extraordinaries, had been applied to the liquidation of bills of trade, created in 1813, by Act of Parliament; but as those bills were provided for by other grants, the sum would be still applicable to the army extraordinaries for the remainder of the year.

Mr. *Tierney* wished, that at the time when the measure of war had been sanctioned by the House, the expense had been laid before them. At first the question was merely proposed to them abstractedly, then came a little grant of money, and then larger votes, till at last the House would be called on to vote for the first year of the present war 80 millions sterling at the least for the subsidies and warlike establishments, such as army, navy, ordnance, transports, &c.

The *Chancellor of the Exchequer* said, it was true that the expense of the year would be very great; but it would have been great even if it had not been a year of war, because the arrears of the last war which were to be provided for, were between 18 and 20 millions.

Mr. *Tierney* said, it was to be observed, that an arrear of 20 millions had been incurred, during the former war, while the expenditure of the war was supposed to have been fully provided for; they should, therefore, take care that they did not incur another 20 millions of arrears; and notwithstanding the expenditure of 80 millions in the present year, we were not secure against it.

The Resolution was agreed to.

Conduct of Governor Ainslie.] Mr. *Gordon*, on rising to comment upon the conduct of a person who had enjoyed an important situation, and was of a respectable character, thought it necessary to disclaim all motives of personality towards the individual, and to declare that he was actuated only by a sense of duty to the public. He was totally unacquainted with governor Ainslie, and nobody would feel more gratified than himself, if his conduct with reference to the two situations he had held at Grenada and Dominica should be perfectly justified. The papers relative to the transactions at Grenada had been a long time before the House; he should therefore only briefly mention the circumstances contained in them, on which his observations would be founded. It appeared that general Ainslie, on being appointed vice-governor of Grenada, had issued, in November, 1812, a proclamation, directing all free persons of colour in the island to appear before him, and take the oath of allegiance under pain of being sent away; and the time given was only one week for those persons to appear from all parts of the settlement. A person named Jean Michell came and took the oath in November 1812; but in April following, the governor, with a corporal and two privates, went to the house of Michell, and delivered him into the custody of the cage-keeper, and after being imprisoned he was punished by receiving twenty lashes: he was put into a sort of black hole, and fed for three days on bread and water. On the fourth day, his friends applied for a copy of the document under which he was imprisoned, in consequence of which the governor ordered him to be released, but gave no reason for his conduct. When, however, it was understood that civil proceedings were about to be instituted against him, he sent and offered him a sum of money, which the man accepted, but afterwards thought proper to return. The governor then had him sent away, and went himself to the printer of the Gazette, directing him to insert a notice giving an account of those proceedings, and describing Michell to be a free man of colour, who had been shipped off the island in consequence of not having taken the oath of allegiance. The consequence was, that an investigation took place by a petition of the inhabitants; and the resolutions which a committee of the Assembly agreed to were, that the House were convinced of the loyal principles and good conduct of the free men of colour on the island, and were resolved to support them; they added, that it had been proved by evidence, that the liberty of these persons had been grossly abused by general Ainslie, and censured his conduct in strong and indignant terms. The hon. gentleman, after reading these resolutions, contended that the evidence against Michell was *ex parte;* and when an action was commenced against Green, the cage-keeper, the plea was, that Michell was a slave. But the proclamation was only addressed to free men, and, therefore the governor had no right to take a slave and flog him, merely because he might be found walking about. The result of the trial, in which the cage-keeper was the nominal defendant, was, that only 5*l.* damages were given against the governor, with the right of remission of it, if it could be proved that Michell was a slave. Michell was then advised, in consequence of the smallness of the damages, to let the business rest. On a complaint of this transaction being sent home, lord Bathurst wrote to governor Ainslie in reprobation of his conduct. His letter was dated the 19th of March, 1814; and, after animadverting on the circumstances, it added, that any such conduct in future would call for the severest reprehension. Michell went to Dominica, to procure a certificate of his not having been a slave: but on his return, he was not suffered to land, because he had been sentenced to be flogged. General Ainslie afterwards went, as governor, to Dominica, at which time there was an insurrection amongst the slaves, or as they were variously called, Maroons, runaways, or deserters from their masters. On his assuming the government of Dominica, this evil had proceeded to a considerable extent.—The hon. gentleman said he did not mean to object to the quelling this insurrection, but to the proceedings of the governor in reducing it. He published a proclamation, offering unconditional pardon to those who returned to their duty, but declaring the utmost rigour against those who held out, adding that neither age nor sex should be spared, but that all should be indiscriminately put to the bayonet. It would be said, that this was only a proclamation *in terrorem,* and that it had never been acted upon. He was ready to admit that this was so far true; but, to say the least of it, it was extremely indiscreet and unjustifiable. That it was not acted upon, might be owing to the good sense of the officers; for if any of them had acted with such violence, they would have found their justification in the document in question. There was, indeed, a declaration of a captain Savarin, stating, that he had never received orders to put to death any runaway, but that he had sent for weeks together agents to the Maroons, to treat with and persuade them to return home; and it was even customary for the men not to return their firings. This was certainly much in explanation of the proclamation, and in proof of its non-execution. But there was another document, being an account of the number of Maroons killed, &c., from which it appeared that 12 had been killed in action, 42 punished, and 530 restored to their owners, many of whom had been from 10 to 35 years in the woods. Now, it would be curious to know how the owners of such persons could be ascertained, as well as the identity of the slaves. The war, in a great degree, resembled the Maroon war some years ago in Jamaica. By prescription, from the length of time they had been away, many of these persons might be deemed free people, and he hoped it would be proved, at least, that all the men so handed over as slaves were runaways. There were many testimonies in favour of general Ainslie from respectable people in Dominica, and even from the Assembly which he himself had dissolved, on the ground that it had shown inattention to the interests of those whom it represented. If he understood the hon. Secretary opposite, he had told him, that governor Ainslie had satisfied Government as to his conduct, and that it was their intention to send him back again. It was in consequence of this information that he had moved for the printing of the papers, that an opportunity might be given for his justification. He had, however, besides to state, that information had been received in a letter from Dominica, that general Ainslie, on making a tour through the island, had directed four black soldiers to attend him, and they not arriving in time, he, without any court-martial, directed them to be flogged. For this conduct the government of Dominica were determined to pause on admitting him back. There was another case of still more importance than any one of the rest, and it was on this account that it was his intention to move for a committee of investigation, that whatever related to the general's conduct might appear at once. A most respectable gentleman, Mr. Aberdeen, a man of large property in the island, had received a letter here in London from his manager, dated the 4th of last June, in which he stated, that information having been given to governor Ainslie that two slaves were in communication with the runaways camp, and had sold them some provisions, which, however, were not the property of their masters, he ordered the writer, the manager in question, to have them arrested, and sent to him into the town. They were sent, but this person did not accompany them, because he was not aware that any violent proceedings were in contemplation; but in a few days afterwards a messenger arrived from the governor, with a box upon his head, and a letter, saying, "I have executed one of the two slaves you sent me, after being tried by a court-martial, and this is his head, which you are to place on a pole upon the estate!"—(Hear, hear!) The other slave was imprisoned, and afterwards shipped off the island. The hon. gentleman said he had asked Mr. Aberdeen, why, if he had received this letter so long ago, he had not taken some steps upon it before now; and he answered, that he had communicated it to the Secretary of State, adding that he had no idea Government would ever have thought of sending the general back to the island. On the whole, to say the least, governor Ainslie had been guilty of such great indiscretion, that he appeared ignorant of the colonial laws, and was unfit to be a governor. All such persons ought to be of mild dispositions, and not given to passion. The hon. gentleman then adverted to the condition of the slaves in our colonies, which was susceptible of great amelioration; and he called on those members who had so nobly exerted themselves in effecting the abolition of the trade, to reflect that much remained to be done. He had some hundreds of slaves under his own protection, and he felt that he should best perform his duty and consult his interest by considering how he could ameliorate their situation.

He concluded by moving, "That a Committee be appointed to inquire into the conduct of George Robert Ainslie, esq. while Vice-governor of Grenada, and Governor of Dominica, and to report their opinion to the House."

Sir *Robert Heron* spoke at considerable length in defence of the character of governor Ainslie. He said, he would first advert to the charge against him, of having ordered four black soldiers to be flogged without trial. The whole of the story rested on what purported to be the letter of one Joanna Clapham, who kept a gin-shop at Roseau, in the island of Dominica. This document, however, and the charge itself, were now under the consideration of the Commander-in-chief, and he would not presume to anticipate what would be his Royal Highness's decision upon it. The next charge was that of flogging, without trial, a free man of colour, of the name of Jean Michell, while acting-governor of the island of Grenada. In regard to this he would observe, that governor Ainslie found the island in a very disturbed state, it being chiefly inhabited by disaffected Frenchmen, who had refused to take the oaths. This Jean Michell was a native of Mariegalante, and had recently arrived on the island. He allowed that the governor had acted indiscreetly in punishing this man, before having made sufficient inquiry whether he had taken the oaths or not; but he had little doubt that the case would never have been heard of, had it not been to gratify the revenge of a person of the name of Adye, who had acted as coroner of the island, and president of the senate, but who was prosecuted and fined at the instance of the governor, for the fraudulent sale of government lands in the colony. Hence the story of Jean Michell was brought forward, which never would otherwise have been heard of. But from a paper which had been presented to the House, it appeared that the real charge against this Michell was his having robbed one Lawrence by means of a false key, and it was on this account that he was flogged. He admitted it to be indiscreet in governor Ainslie to have ordered this punishment of twenty lashes by his own authority; but it in fact amounted to mercy to the offender, as, had he been tried in a court of justice, his punishment would probably have been much more severe. When the governor heard of the strong sensation which the proceeding had created among the people of colour in the colony, he sent this Michell money as a compensation, which he at first took, but afterwards sent back, and brought his action against the governor in the Colonial Court, in which he succeeded. The only reason why the governor did not contradict the report of Michell having been flogged for not taking the oaths, was that it had the good effect of bringing down all the others in a similar situation to take the oaths. The only damages which the Colonial Court gave to Michell in his action against the governor were *5l.*; so that they did not estimate very highly the injuries he had sustained. Under all the circumstances, he thought that governor Ainslie had been already sufficiently punished for his indiscretion. He had paid the fine, and, what must have painfully affected him as a man of honour, he had received the reprimand of lord Bathurst. It was probably the zeal of gentlemen for the black population of the West Indies that induced them to push this inquiry: but they should recollect that it was possible enthusiasm might go beyond justice: that they also owed something to their white fellow-countrymen, and that they ought not to export the whole of their benevolence to a foreign market, but reserve some of it for home consumption. The next charge to which he should advert, was the governor's conduct towards the Maroons. The House should know that these Maroons were, in the island of Dominica, entirely composed of runaway slaves, who took refuge in the centre of the island, which abounded in the most unapproachable fastnesses, whence they could issue forth to the destruction of the planters, and bid defiance to attack. Governor Ainslie, on his arrival on the island, formed a corps of black rangers for their reduction. He also issued a proclamation sanguinary certainly in its terms, but intended for intimidation, not to be literally executed. The Mutiny Act, which Parliament passed annually, was most sanguinary in its enactment, for it denounced death almost in every line; and yet who ever thought of shooting a soldier or a militiaman for every offence to which the punishment of death was there attached? At the time the proclamation was issued, the island was in danger of being ruined by these marauders: the most rigorous measures were absolutely necessary, as these Maroons had shot both the messengers whom the governor sent to them: but the proclamation had ultimately the effect of saving even the lives of men who lived by robbery, and whose occupation was murder. The rangers and the proclamation set to work together: the former were instructed by the governor himself to act with the greatest lenity, and accordingly only twelve of the robbers were killed during the whole war, while the rangers were often seen bringing in the half-starved women and children of the

Maroons, for the purpose of taking care of them. As to the case of the two men who were convicted of selling provisions and ammunition to the runaway negroes, only one of them was executed; and it was his head that was sent in a box to another part of the island, for the purpose of being exhibited *in terrorem.* Upon the whole, it appeared to him, that the conduct of governor Ainslie had been vigorous, laudable, and patriotic. This was the light in which it was viewed by every class of inhabitants in the island, who had, in an address to that gentleman, expressed their anxious wish for his return among them. He could not, therefore, concur in the present motion, which went to inflict the punishment of preventing his return.

Sir *Samuel Romilly* thought, that unless the House proved false to all its professions for the benefit of the black population of the West Indies, it could not refuse to institute the inquiry now called for. As to what the hon. gentleman had said of some of the charges originating in private revenge, it should be recollected, that the atrocious murders perpetrated by one Hodges, in one of the islands, would never have been brought before the public, but for a private quarrel. He was surprised that the friends of governor Ainslie should oppose an inquiry. Here sir Samuel read the depositions of several persons, all going to prove that Michell was flogged for not taking the oaths; but whatever the offence, the punishment was inflicted without trial, in the public market-place, and by order of a British governor, whose special duty it was to protect the people of colour. This duty the West India governors had been specially charged to perform, in a circular addressed to them by the duke of Portland in 1797. Was the offence to be passed over, because a West Indian jury, with all its prejudices against people of colour, had given Michell only *5l.* damages? The House, to act consistently with the principles it professed, ought to study the immediate amelioration of the state of the negroes and people of colour, and the gradual abolition of slavery itself. This he understood to be the ultimate object of all our wishes. Was it not necessary to inquire into the situation of Dominica, before the House could own a proclamation which condemned men women, and children, to destruction? Here sir Samuel referred to some of the documents, from whence he drew the conclusion that there was no war on the island, but merely the fear of future disturbance. It appeared that no less than 700 of these Maroons had been reduced to slavery; from which he suspected, that one great cause of the war proclaimed against them, was to procure slaves that could not be obtained by importation. He could not admit that to whip a man in the public street for a crime which governor Ainslie must have known he had not committed, was to be frittered away and shielded under the mild and gentle term which the hon. baronet had given it—"an act of indiscretion." This governor Ainslie punished a man for not having done that which he had made oath before the governor himself he had done; but in order to justify his own misconduct, he added injury to insult, and out of a freeman, he, by dint of power vested in himself by means of his office, made his victim a slave, pretended he had been a slave in Dominica, to which island this same general Ainslie had been recently appointed governor; and when this unfortunate man proceeded to Dominica, to obtain evidence of his not having been a slave, governor Ainslie exerted his power there also against him, and by virtue of that power, prevented him from landing on the island, and thus deprived him of every possible means of proving he was not a slave, nor ever had been a slave in Dominica, as had been most unjustifiably alleged against him. These were acts which could not but arouse the indignation of every man of the least degree of feeling and regard to justice; and he thought them quite sufficient to demand the committee moved for by his hon. friend.

Mr. *W. Smith* thought governor Ainslie, like all other persons in the West India islands, must know that the greatest injustice that could be done to an individual was to deprive him of his freedom. Michell, it appeared, had first been punished for nothing at all—for not taking an oath in obedience to a proclamation of the governor; which oath, it was proved by several witnesses, he had taken in the presence of governor Ainslie himself; and those who had treated him thus, endeavoured to escape from the consequences, by depriving him of the most precious thing he possessed—his freedom. This was the paltry, mean, base, and abominable defence which had been set up, and this defence made him more indignant than all the rest. Lord Bathurst, on perusing the papers which were submitted to him on behalf of governor

Ainslie, had said, that the justification of his conduct was not complete. He thought the noble lord must have felt they furnished no justification at all. All the evidence brought forward to prove Michell was a slave, had been obtained from the island of Dominica, where the power of governor Ainslie had been at that time predominant, and obtained from that island to which Michell had repaired, in order to prove that he was free. The evidence of his being free was ten times stronger than that which had been adduced to prove that he was a slave. Under all the circumstances of the case, he hoped the House would consult its own dignity, by acceding to the motion.

Mr. *Goulburn* said, that nothing could be more candid, than the manner in which the hon. gentleman had brought this subject forward. He, however, must oppose the motion on this principle, that to entertain it would be to prejudge the question between Michell and governor Ainslie, which was to be tried in this country, in those courts where the whole of the transactions could be more satisfactorily investigated than they could be by that House. This stated, he trusted it would be felt that to anticipate the inquiry would be to defeat it. He briefly replied to some of the statements made in the course of the debate. He asserted the proclamation to have been issued in consequence of murders and depredations which had been committed upon the whites, and when the general state of things had become such as to threaten the loss of the island. From all that he knew on the subject, he had reason to believe the result of the inquiry would be satisfactory to the friends of general Ainslie.

Mr. *Gordon* briefly replied. He wished to observe with respect to the trial which had been mentioned as coming on in this country, that the difficulties which must first be surmounted had to him appeared so considerable, that he had thought he ought not to suffer what to him appeared so remote, to prevent the present motion being made. On an understanding that governor Ainslie would not return to Dominica, till this matter had been explained, he would consent to withdraw the motion.

Mr. *Goulburn* said, he would not return till after the trial, which he apprehended would afford every requisite explanation.

Mr. *W. Smith* wished it also to be understood that he would not be appointed. This was a material point, as the salary attached to the situation was paid from the time at which the appointment took place.

Mr. *Goulburn* stated the appointment to have taken place some time since, but he had been ordered to remain in England to answer the charge. He presumed it was not desired that he should be dismissed, as that would be to prejudice the question.

The motion was then withdrawn by the consent of the House.

HOUSE OF LORDS.

Monday, June 5.

FOREIGN SLAVE-TRADE BILL.] On the motion of the marquis of Lansdowne, the House resolved itself into a Committee on the Foreign Slave-Trade Bill. The Marquis having moved that their lordships should agree to the first clause,

The Earl of *Westmoreland* said, it was with regret that he stated any objection to this Bill, as he coincided in the principle of putting an end to the Slave-trade carried on by foreign Powers; but he could not help repeating his objections to the provisions of this Bill, on account of the risk to which the innocent were exposed by them. He again stated, that by the provisions of this Bill, it appeared to him that any person in this country, by his agent lending money which might be applied to the Slave-traffic, though entirely without his knowledge, would be liable to be tried where the act was committed, which might be in any part of the West Indies, or on the coast of Africa: so that a friend of the noble marquis now at Madrid, might be hurried away from that place to be tried before the West India tribunals, or before the learned surgeon of Sierra Leone. It was well known that the trials in these places were not conducted with the same order and regularity as here; and, therefore, this was a grievous hardship. With respect to the clause against lending money on the security of property in the foreign islands, any person here or in the West Indies might be subjected to a trial in these tribunals, because he might have a debt due to him for goods consigned there for sale; and this was the more dangerous, because any person to whom the money was lent which was employed in this traffic, was not only to be pardoned, but to get free of the whole debt: there was, therefore, the strongest temptation to bring innocent persons to trial, if any colour of criminality could be set up so as to afford a chance for conviction. It was also to be observed, that the late act had never been enforced in this respect so as to attempt the suppression of the offence by the pecuniary penalty. The only prosecutions were against persons directly concerned in the traffic, and they knew the issue of those at Sierra Leone, where the learned surgeon presided.

The Marquis of *Lansdowne* said, that the clause as to the lending money on security in the foreign islands extended only to mortgages of the land, and not to security on the produce—and without such a clause, the whole provisions of the Act would be nugatory. With respect to innocent persons, the Act extended only to those who knowingly and wilfully lent their money for this particular purpose. There were, however, a few amendments which he wished to propose. As to the tribunals, they were such as existed for the punishment of piracy, which this offence very much resembled.

Lord *Ellenborough* strongly argued against the adoption of a measure by which a crime, very loosely described, was to be considered as felony. He conceived that for the punishment of usury, a heavy mulct would be sufficient on the present occasion; or, at most, that the crime should be declared a misdemeanor, liable to the punishment of transportation. No one wished more ardently than himself that the Slave-trade were abolished all over the world, but he could not give his consent to such crude acts of legislation as that before their lordships. He warmly recommended a postponement of the consideration of the measure, instancing several cases, in which, as it at present stood, unoffending individuals might be entangled in its provisions.

The Earl of *Westmoreland*, in reply to what had been stated by the noble marquis, said, that he had not alluded to the danger that innocent persons might be punished, but to the danger of their being brought to trial at such distant places and before such tribunals. And he was still of opinion, that according to the words of the Act, providing that the trial should take place where the offence was committed, persons might be taken from this country to be tried before those colonial tribunals.

Lord *Grenville* said, that the principle of the measure was to have it declared, that persons guilty of this atrocious crime were to be regarded as criminals, and to be punished as such, and by the same tribunals which were appointed for the punishment of piracy. As for the pecuniary penalty, it had been found that the profits of this abominable traffic were such as to overbalance it. The only way to check the offence, was to degrade those persons engaged in it from that rank in society, which the crime rendered them unfit to hold. But he admitted that the severity of the punishment rendered it the more necessary that the law should be clear and precise in its enactments; and he hoped his noble and learned friend, whose powerful assistance in the business of the abolition he well remembered, and would always remember with gratitude, would lend his aid in giving the Act all the precision of which it was susceptible.

The Earl of *Liverpool* suggested, that the most proper plan would be to agree to the amendments of the noble marquis, and then to have the Bill printed, that the House might see it in its most perfect state, and then decide whether it might not be necessary to have it recommitted.

This was agreed to. The amendments were introduced, and the Bill ordered to be printed as amended.

HOUSE OF COMMONS.

Monday, June 5.

SCOTCH GAME AND FISH PRESERVATION BILL.] Sir George Clerke moved the order of the day for the third reading of the Scotch Game and Fish Preservation Bill.

Mr. *W. Dundas* opposed the principle of the Bill, as being excessively severe, arbitrary, and unnecessary.

Sir *G. Clerke* observing that those terms were particularly applied to two clauses of the Bill, the one inflicting a severe penalty on unqualified persons killing game and fish, and the other on persons laying snares, declared, that he was willing to withdraw both; and hoped, by such a concession, to conciliate the favour of the hon. gentleman, and also of the member for Glasgow (Mr. Finlay), who he understood intended to oppose the Bill.

Mr. *J. P. Grant* said, that his objection to the Bill was not confined to those two clauses, but was extended to another which he considered equally oppressive

He alluded to that which authorized sending persons convicted of the offence to the House of Correction, instead of the County-gaol, the usual place of punishment.

Sir *George Warrender* stated, that several representations had been transmitted to him from many parts of Scotland, deprecating the proposed Bill, and declaring, that its effects would be totally different from what were expected. The measure was unknown to Scotland, ill suited to the manners and feelings of the people, and consequently injurious and oppressive. He therefore should oppose it.

Mr. *Horner* expressed his unqualified dissent to the measure; and that opinion was in no small degree confirmed by the assertion made by an hon. member, that it was totally unnecessary, an assertion of considerable weight, as coming from one who was himself a keen sportsman. He feared that the gentlemen of Scotland who favoured the Bill, had not attended sufficiently to its object; to afford them, therefore, more time, he would move, as an amendment, "That the Bill be read this day three months."

After some further observations from sir G. Clerke, Mr. Abercrombie, sir C. Monck, Mr. Serjeant Best, and lord Binning, sir George Clerke consented to withdraw the Bill altogether.

SLAVE TRADE.] Mr. *Wilberforce* wished to ask the noble lord in the blue ribbon, whether any arrangements had been made with Louis 18, relative to the total suppression of the Slave-trade, in the event of success in the present war against Buonaparté?

Lord *Castlereagh* replied, that nothing should be wanting on the part of his Majesty's ministers to execute strictly the wishes of Parliament on that interesting subject. The present state of the case was most favourable to the accomplishment of that object; and he could assure his hon. friend that the subject had not escaped the notice of ministers.

Mr. *Wilberforce* relied with the fullest confidence on the feelings of his noble friend, in his endeavours to suppress that traffic—nothing could be more satisfactory than his uniform concurrence in the attainment of that object.

Here the conversation ended.

COMMITTEE OF SUPPLY.] The Report of the Committee of Supply was brought up, and on putting the question, That the Resolutions be read a second time,

Lord *John Russell* rose to express his disapprobation of the war, which he declared to be impolitic in its origin, unjust in its object, and injurious in its consequences. He could not conceive what right we had to compel France to receive any particular form of government. It was true, that annexed to the Treaty of Vienna was a Declaration that the Allies would not force the Bourbons on the throne of France; but nothing could be more contradictory than the purport of the Declaration, and the 1st and 8th articles of the Treaty—by the former the right of Louis was waved; while the latter recognised it in full force. He conceived that Declaration to be nothing more than a pretence to satisfy the friends of freedom in this country, and to conceal the real object of the confederacy. As to compelling France to submit to foreign dictation, the thought was absurd—the experience of history would not warrant such a supposition, and the last war should have taught us the impossibility of effecting it.

Mr. *J. P. Grant* wished to know from the Chancellor of the Exchequer what resources he looked to for carrying on the war, which had escaped every other person's observation. He could not conceive it possible to carry on the war without a deficit beyond the war taxes of about 45 millions. The whole income of the country appeared, from the property-tax returns, to be only about 145 millions; and yet the country would be called on to pay 70 millions of taxes, with a deficit, after all, of 45 millions. If he was wrong, he would be set right with pleasure. Nothing he had heard during the discussions had changed his opinion of the impolicy of this war; neither by eloquence, nor by the technical justice of it, deduced from Buonaparté's non-fulfilment of a treaty for which no security was taken, and which no one could believe he would abide by, if his interest led the other way, had a justifiable case been made out in his mind. The only argument that could be urged was, that it was essential to our safety that Buonaparté should be deposed. It was the first time in the world that war was made for such an object. It was the first time that it was said in that House, that the character of any individual was ground for a war for our own safety, which must depend upon our own exertions.

Mr. *Bennet* animadverted on the conduct of King Ferdinand 7 of Spain, who, he contended, had been enabled to carry his detestable measures into execution, by the assistance of the Government of this country. Formerly the character of this country stood high abroad; but the noble lord, and the Congress of Vienna, had at length settled that character. He wished to know from the noble lord, who it was that inflicted such disgrace on the character of the nation, as to advise the Order of the Garter to be conferred on Ferdinand of Spain.

Sir *J. Newport* said, that from what he had heard, the present system of recruiting the militia, particularly in Ireland, was extremely injudicious, and conducive to a most lavish expense. He was informed, that bounties were given to recruits, who were then permitted to return home, under a promise of appearing again when required. He wished to know if such were the fact.

Lord *Palmerston* replied, that as the militia regiments were not as yet embodied, Government had been obliged to have recourse to the system mentioned by the right hon. baronet. The entire bounty was, however, not paid, the recruit received only a guinea, and the remainder being withheld, he expected most of them would appear again when called upon.

Sir *J. Newport* said, that there was nothing to prevent every one of them enlisting in different regiments, and receiving the bounty in each.

Mr. *Gordon* was anxious to know whether any means were devised to correct the lavish expenditure in the commissariat department.

The *Chancellor of the Exchequer* replied, that the attention of Government had long been directed to this subject, and he hoped that measures had been now taken to put the system under more effectual control. In Spain, owing to the nature of the country, and the scantiness of resources, which led to the dispersion of the officers of the commissariat very widely, it was found impossible to regulate the department as well as could be wished, and abuses had crept in. In the Netherlands the supplies being abundant and at hand, the same difficulties would not exist; and the appointment of Mr. Rosenhagen to the new office of controller of this department, he hoped would be attended with the happiest consequences.

Mr. *Baring* complained that the whole system of the commissariat in Spain had been defective, particularly the practice of giving only government paper in the mountains of Gallicia or Andalusia, where the inhabitants did not know how to estimate its value. He had wished that a committee should be appointed upon the subject. He objected to the great disproportion between the money we were to provide, and the small force it enabled us to bring into the field. He had understood that for the service of the army the agents of Government were now in the habit of buying up guineas. He wished to know if that were the fact?

The *Chancellor of the Exchequer* said, that if such a practice existed it had not come to his knowledge. He was happy to say that a larger sum of ready money had been obtained for the army, by regular means, than had been expected.

Sir *J. Newport* hoped some regulation would be adopted to correct the system of billeting at present practised in Ireland, by which persons were liable to have the soldiery billeted upon them at the pleasure of the officers whose duty it was to provide quarters for the soldiers, without any regard to that fairness of distribution which ought at all times to be practised.

Lord *Palmerston* was not so well acquainted with the nature of the laws upon this subject in Ireland, as with those in this country; but if the right hon. baronet would point out any improvement which his knowledge might enable him to suggest, he should be happy to attend to it.

Mr. *Peel* said, that a measure was in contemplation, whereby, in all cases where soldiers were billeted on private individuals in Ireland, an allowance of threepence per night for lodging money would be allowed; a sum which, on all occasions, would be sufficient to induce the soldiers to go elsewhere; but as there were many districts in that country in which public-houses were not to be found, it was absolutely necessary that billets on private individuals should be granted.

Sir *J. Newport* said, his object was to have some measure adopted which would prevent respectable tradesmen and others from being rendered subject to the system of billet, as was the case in this country.

Mr. *Grenfell* took this opportunity of asking, whether it was not now the practice to purchase light guineas for the purpose of being re-coined?

The *Chancellor of the Exchequer* knew of no such practice.

Mr. *Horner* said, that it was absurd to attempt to conceal the fact, that not only Prussian and German, but French money, was now coined at the British Mint most extensively; and it was almost equally certain, that British guineas to a great amount were melted into Louis-d'ors. He admitted that it might be a necessary expedient, but it was absurd to keep laws upon the statute book against individuals, to prevent melting the coin of the realm, when Government were guilty of the crime to so enormous an extent.

Mr. *Baring* said, that this practice appeared to him to be exercising an unjustifiable act of sovereignty over those countries whose coins we imitated without express permission. What should we say to foreign nations who should venture to fabricate guineas for us?

The Report was then agreed to.

MONUMENT TO SIR EDWARD PAKENHAM.] Lord *Castlereagh*, in rising to propose that a monument should be erected to the memory of the late sir Edward Pakenham, assured the House, that whatever delay had taken place in proposing the present vote, was to be attributed only to an anxiety not to infringe those rules by which the proceedings of Parliament in cases of this nature had hitherto been guided. The general principle had been to connect with records and tributes of this nature something of a successful issue to the occasion on which the individual had fallen, or had acquired distinction. There were, however, he had discovered, exceptions to this rule, and he was far from thinking that the present instance was not one in which the exception ought to be allowed. Monuments had sometimes been voted where Parliament had not previously expressed their approbation by a vote of thanks; and if this had ever occurred, he could conceive no reason why that honour should not be decreed to a soldier, distinguished on so many memorable occasions, and whose whole short but active career had been passed in the highest schools of his profession. He was generally admitted to be not only a good disciplinarian and an exact regimental officer, but to possess all those endowments of mind which were essential to the more important duties of command. After having acquired great reputation in the West Indies, where he was twice wounded, he applied to be sent to the Peninsula, though in very bad health, where, from the period of the battle of Talavera, he rendered the most important services to his country. He should afterwards have the honour of moving a similar resolution with respect to generals Gibbs and Gillespie. He should now move, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions, that a monument be erected in the Cathedral Church of St. Paul, London, to the memory of Major-general the honourable sir Edward Pakenham, knight of the most honourable Order of the Bath, who fell on the 8th of January last, in an attack upon the enemy's works in front of New Orleans, in commemoration of his eminent and distinguished services; and that this House will make good the expense attending the same."

General *Gascoyne* bore testimony to the gallant behaviour of general Pakenham, who, when first struck, had advanced within thirty yards of the fort, which was the only difficulty which remained to be surmounted; he was then struck by a ball, and being about to mount a horse which was brought him, he was struck by another ball in the spine, which terminated his valuable life. He hoped there would not be a dissentient voice on the question.

Mr. *Wynn* suggested the propriety of entering the several votes of thanks of the House to general Pakenham, to the number of six, which having been done, the motion was unanimously agreed to.

THAMES BATHING BILL.] On the motion for the second reading of the Thames Bathing Bill,

Mr. *Bathurst* wished the committee on this Bill to be fixed for Thursday, on which day he should propose a clause to limit the operation of the Bill.

Mr. *Wynn* observed, that the object of the Bill was to restore to the public the advantage of bathing in the river Thames, of which they had been deprived by a clause introduced into the Thames Police Bill, at a late period of the last session, which left a discretionary power to the magistrates, of which they had availed themselves, by prohibiting persons from bathing on the shores of the river Thames, from Blackwall to Battersea-bridge, under a penalty of 20*s*. As this was a most injurious encroachment on the comfort of the lower classes, there being at common law sufficient remedy against public indecency, if any such were complained of, he thought the Bill should be allowed to pass in its present state, to put the law upon its old footing.

Mr. *Bathurst* thought that some power of summary punishment, by fine, should be given against offenders against decency, as the common-law remedy was expensive, and the punishment severe.

Mr. *Wilberforce* observed, that the Bill before the House would go to sanction the indecency frequently committed on the banks of the Thames, and would be a declaration of Parliament that it was expedient that persons should expose their naked bodies on the banks of the Thames.

Mr. *Horner* said, the hon. gentleman had committed a pious fraud in his statement of the case, because the Bill would merely declare, that it was inexpedient to make a provision to prevent all bathing between the West India docks and Battersea, there being already a law against any indecent exposure of the person, either in the Thames or elsewhere, which had been exerted against one of the most celebrated wits of Charles the second's court, sir Charles Sedley. Nothing, he thought, should be left to the discretion of the magistrates on this subject.

Mr. *Wynn* observed, that the country had gone on extremely well under the old law on this subject; and if decent females who took the water were annoyed, it was better they should stay at home than that the health of all the lower classes of the metropolis should suffer for the accommodation of their delicacy. Queen Elizabeth, with her maids of honour, used to go from Whitehall to Greenwich, or to Richmond, in barges, and the archbishop of Canterbury to pass in a barge to attend his duty in parliament, at times when the practice of bathing in the Thames was more common than at present. Besides, the Police Act had no provision against persons undressing or exposing themselves, so it was not with an intention to bathe.

Sir *J. Newport* said, if bathing was prohibited in the Thames, a similar law must be passed with reference to every other river in the United Kingdom, as it would be unjust to legislate for one place without extending the benefit of the same legislation to others. Thus the inhabitants of Dublin, Liverpool, Bristol, and other great towns, must be subject to similar laws.

Mr. *Wrottesley* thought that the clause ought to be repealed, as it had been introduced without any notice.

Mr. *Preston* thought that the House would be more nice than wise, if they were to legislate on such a subject.

Mr. *Wilberforce* said, that with regard to Dublin, to which a right hon. baronet had alluded, he apprehended it would not be very necessary to pass any law for prohibiting bathing in that city, as he understood the river Liffey, which flowed through it, was not of that pellucid nature which would afford many inducements to such amusements. He did not consider the antiquity of the practice of bathing in the Thames as an argument for its continuance. If this was once admitted, many other practices might obtain, which would be injurious to the peace of the metropolis, but which had been abandoned for years. It was only a few days since he dined with a gentleman who had shot snipes and woodcocks in St. Martin's-in-the-Fields. However correct that amusement might have been formerly, he did not consider that it ought to be permitted at present.

The Bill was read a second time, and ordered to be committed on Thursday.

Mr. *Bathurst* moved that the committee have power to amend the Thames Police Act. He thought it would be proper to revive the provisions as to bathing, somewhat modified; one reason for which was, that the want of deference in the lower classes towards the higher, which had increased so much of late years, rendered some alteration in the law necessary.

The House divided: For the motion, 21; Against it, 15: Majority, 6.

CHAPEL EXEMPTION BILL.] On the motion of the Chancellor of the Exchequer, the House went into a further consideration of the Chapel Exemption Bill. The right hon. gentleman said, it had been proposed that one seat in ten in all chapels to be built in future should be allotted to the poor; but he would move as an amendment, that one seat in five should be reserved for that description of persons.

General *Thornton* wished, in the first place, to oppose the amendments, and then to throw out the Bill altogether.

The *Speaker* then put the question, that the Bill, with its amendments, be engrossed.

General *Thornton* lamented, that some gentlemen of great abilities, who intended to oppose the third reading of the Bill, were not then present; but as he had intimated his intention of opposing it in every stage, he would then declare, that it seemed of a dangerous and alarming nature. It called on the members of the established Church to support the dissenters, and exempt certain places for the gratuitous instruction of the poor, where no religious instruction whatever was given. A right reverend prelate had recently preached a sermon before the Society for promoting Christian Knowledge, wherein he maintained, among other points, that we should guard against all the modern doctrines of liberality and toleration, and that indifference to forms of faith was indifference to truth and falsehood. The hon. general, therefore, sincerely embracing these opinions, moved that the Bill should be engrossed on that day three months.

This amendment was put and negatived, and the original question carried.

HOUSE OF LORDS.

Tuesday, June 6.

Petitions against the Corn Bill.] Earl Stanhope presented a petition from Stirling, praying a repeal of the Corn Bill. He moved that the petition be read at length, that their lordships might hear the excellent arguments which it contained.

The petition was read accordingly; and after stating some of the common objections to the Bill, it mentioned something respecting mean and selfish artifices having been employed in passing the Bill,—that the object of it was to raise the price of the necessaries of life—that the Bill had been passed with precipitation, so as to render it impossible to present numerous petitions which would otherwise have been presented against it—and the petitioners, while they regretted the tumults that had taken place, lamented the little attention which had been paid to the almost unanimous voice of the people constitutionally expressed.

Lord *Redesdale* opposed the receiving of this petition, on the ground that it was not couched in decent and respectful language, and particularly adverted to the words that mean artifices had been used in passing the Bill. This was accusing their lordships of undue and selfish motives; and for this, among other grounds, appearing on the face of the petition, he could not vote for its being received.

Earl *Stanhope* said, that while people were starving, it could not be hoped that they would be very guarded in their language; but there was no intention to insult the House, for the words 'mean artifices' did not allude to any thing done in parliament, but to the means for getting it passed, used out of the House. As to any other objections, he called upon the noble lord to state any one of them.

Lord *Redesdale* mentioned the words, 'that the object of the Bill was to raise the price of provisions,' which was utterly false and unfounded, as the grounds on which the Bill had been passed were of a totally different description. He also mentioned the passage where the House was accused of having proceeded with undue precipitation, which was a direct charge against the House of having acted from corrupt motives. It was time for their lordships to make a stand against petitions worded in this manner, otherwise they would be perpetually insulted: and as to the people who presented them being poor and starving, the petitions did not by any means appear to be from persons of that description. They were from a manufacture, and worded pretty nearly in the same manner.

Earl *Stanhope* did not know what the noble lord meant by their being from a manufacture, for he defied him to point out a single petition before presented which was so worded; and that was a flat contradiction. The petitioners stated that the object of the Bill was to raise the price of the necessaries of life, but they did not say that such was the object of that House; and as to the charge of precipitation, he thought it fair, when coming from those who had been prevented from petitioning against the Bill during its progress, by the haste with which it was carried through.

The House then divided on the question, that the petition be received:—Contents, 5; Proxies, 5—10. Not-contents, 9; Proxies, 11—20. The petition was accordingly rejected.

The Marquis of *Douglas* presented a petition also against the Corn Bill from the Corporation of Weavers in Rutherglen, which was received as the petition of the person signing it. The marquis then presented a petition from the Corporation of Tailors of Rutherglen, also against the Corn Bill.

Lord *Melville* opposed it, as containing expressions insulting to the House.

The Marquis of *Douglas* contended that it was of the greatest importance to throw their doors wide open to petitioners. As to insulting the House, he could not believe that any such thing was intended by the petitioners; but he had done his duty in offering it. Their lordships would dispose of it as they thought fit.

The Marquis of *Lansdowne* agreeing that the doors ought to be thrown wide open to petitioners, yet thought that there were insulting expressions in this petition, and that it ought not to be received.

The Earl of *Lauderdale* also contended, that the language of it was improper, as accusing the House of artifice and corrupt motives. It had been said, that the people were starving: but he would ask whether the price of corn had risen to an unreasonable height, or whether there was any time at which it could with less show of reality be contended that the people were starving? As to the charge of precipitation, the matter had been under consideration for two years in a committee of the other House, and one year in a committee of this House, and every exertion had been used to induce petitioners to come forward, but without effect; so that the object appeared to be to keep them back till the last moment, so as to procure some appearance of a ground of complaint.

Earl *Stanhope* said, he had not stated that the people were starving from the effects of this Bill, but that the people in the quarter from whence the petitions came were in great distress for want of employment; and being compelled to work for diminished wages, they thought their distress much aggravated by the Act in question.

The Marquis of Douglas, in deference to the sense of the House, agreed to withdraw the petition; but earl Stanhope said, that he would not agree to its being withdrawn—if the House did not like it, they might reject it. The petition was accordingly rejected.

The Marquis of Douglas then presented a petition to the same effect from the parish of Campsie, in Renfrew. The petition adverted to the want of feeling in the Legislature for the interests of the people, and stated something about the Legislature becoming more corrupt than the Executive, and that there was a point beyond which submission ceased to be a virtue.

Lord *Redesdale* opposed it. Some of these petitions seemed, he said, to be seditious libels, tending to the disturbance of the peace, by setting the landholders and manufacturers against each other; and the object appeared to be to get them into circulation in this way, when the petitioners could not venture to circulate them in any other way.

The Marquis of *Douglas* had a more charitable view of the intentions of the petitioners. The object was not to set the agriculturists and the manufacturers against each other, but to show that the measure had been carried in opposition to the interests of both by the Government, on account of the supply which it afforded in the way of taxation.

Earl *Stanhope* said, it was not wonderful, considering what the petitioners must have heard about Aylesbury and Helston, and other places, if they thought that representatives were sometimes sent up to parliament in a manner in which they ought not to be sent.

The Earl of *Caernarvon* said, that the petition contained something like a menace, in speaking of a point beyond which submission ceased to be a virtue, and for that and other reasons ought to be rejected.

The petition was accordingly rejected.

HOUSE OF COMMONS.

Tuesday, June 6.

Irish Master of the Rolls.] On the motion of Mr. Peel, the House went into a Committee on the Act 41 Geo. 3. c. 25. for the better regulation of the office of Master of the Rolls in Ireland, and for augmenting the Salary annexed to the said office.

Mr. *Peel* stated the grounds on which he proposed an increase of salary to the Irish Master of the Rolls. His present income was 3,500*l.* a year—to this he meant to propose an addition of 800*l.* to make the annuity 4,300*l.* The retiring salary of this officer was 2,700*l.* to which he would move an augmentation of 600*l.* to make it clear 3,300*l.* The salary of the Master of the Rolls in Ireland was regulated in 1801. Since that time the salaries of all the puisne judges had received an addition, and when it was considered that he ranked next the Chief Justice of the King's-bench, and above the chief judges of the other courts, it would appear evident that the nature of his station required the means of corresponding dignity. The proposition which he then submitted, had received the approbation of the present and late Lord Chancellors of Ireland; it was last year recognized by the House, in their having given leave for the introduction of a bill, to increase the retiring pension of the Master of the Rolls; but the Bill was not followed up, because it did not embrace the augmentation of the officer, while in the discharge of his duty

The right hon. gentleman concluded by paying a handsome compliment to the individual who now occupied that high station in Ireland, and moved, "That his Majesty be enabled to grant, out of the Consolidated Fund of Ireland, such annuity, in augmentation of the present salary and profits of the office of Master of the Rolls in Ireland for the time being, as will make up his salary and profits to the annual sum of 4,300*l.* Irish currency; and that his Majesty be enabled to grant, under certain conditions to be limited, unto any person who shall have executed the said office, an additional annuity of 600*l.* Irish currency, such annuity to be granted to him after his resignation of such office."

Mr. *Abercrombie* hoped full opportunity would be given for considering this measure. He believed the Master of the Rolls in England held a situation inferior in income to that of the Master of the Rolls in Ireland; that he received only 4,000*l.* a year. He knew not whether a house was also found by the public in Ireland. The present Master of the Rolls had declined to receive an augmentation to his salary, when the other judges received theirs.

Mr. *Peel* said, that the income of the Master of the Rolls in England was 4,500*l.* besides his house.

Mr. *Horner* hoped the measure would not be acceded to without discussion. Year after year increases were made to the salaries of judges in Scotland and Ireland. The salary of Master of the Rolls was, at present, on a footing of equality, or nearly so, in Ireland and England. Now, he held them to be officers of a totally different rank, and not to be compared together. The Master of the Rolls in England was also an officer of state, and as such, was exposed to considerable expenses. The Master of the Rolls in Ireland had a larger salary than the work he had to perform entitled him to. He protested against the mention to the House of recommendations from judges in measures of this kind. He was not at all surprised that this increase of salary should have had the approbation of the Lord Chancellor. And when the right hon. gentleman should come down in another year with a proposal for augmenting the salary of the Lord Chancellor of Ireland, he had no doubt that he would be authorized in like manner to state that such augmentation had also the approbation of the Master of the Rolls. He wished to speak of the judges with respect; but he really thought that in this country, as well as in Scotland and Ireland, increases to their salaries were granted a great deal too easily.

Mr. *Peel* said, that in his situation he could not be considered a competent judge of the adequacy of the salaries of judges. The proposed augmentation had not only the approbation of the present Lord Chancellor, but also of the late Lord Chancellor of Ireland.

Mr. *Horner*, said he spoke generally; he did not care whether it was lord chancellor Green or lord chancellor Manners who recommended the measure; all he meant was, that the opinions of judges respecting the increase of the salaries of other judges were no authorities, and ought not to be listened to by the House.

Mr. *Peel* was in the sense of the House, if the hon. and learned gentleman had not expressly said that the Lord Chancellor of Ireland would next year come forward for an augmentation of his salary with the approbation of the Master of the Rolls.

Mr. *Whitbread* asked if the right hon. gentleman considered that lord Manners was always to be Chancellor of Ireland, or that lord Eldon was always to be Lord Chancellor here? His hon. and learned friend could not be supposed to mean any particular lord chancellor.

Mr. *Rose* supported the motion.

Mr. *Lockhart* understood that the late Master of the Rolls had not held his situation many years, and had not retired in ill health. Coming year after year for an increase of salary, had a strong tendency to make the judges dependent on the Crown. No doubt it was with Parliament to grant or refuse the addition; but still the Crown had the power of originating the measure; and he thought, therefore, that this practice ought very much to be guarded against. There was not the same ground for proposing an increase of salary now as formerly; the price of necessaries had very much fallen in Ireland.

Mr. *Abercrombie* thought that the House ought to be informed of the extent of duties which the Master of the Rolls in Ireland had to perform, before they consented to this increase.

The Resolution was then agreed to.

AUCTION DUTIES ON SHEEP'S WOOL.] Mr. *Western* moved, that the House should go into a committee, to take into consideration the different acts imposing duties on goods sold by auction, for the purpose of exempting from the said duties, wool of British growth. The expense of conveying such a bulky commodity as wool to the place of sale would of itself be very great, and the auction duty, in addition to this, would operate as a complete bar. It was an object of the utmost importance to facilitate the disposal of the produce of our own country, in every possible manner: and he really could anticipate no objection to his proposition. It was well known that the importation of foreign wool was last year greater by one half than the average of the preceding ten years.

Mr. *Frankland Lewis* said, the maxim that this country ought to endeavour to be independent, as much as possible, of foreign supply, seemed altogether to be lost sight of in the case of wool; for the interest of the grower was in every case sacrificed to that of the manufacture and manufacturer. It had never yet been attempted to bring any wool to auction, and therefore the revenue could not be said to suffer any thing from this measure. The landed interest was at present in great distress—the Corn Laws had not remedied the evil, which was spreading every hour.

The *Chancellor of the Exchequer* admitted, that a revision of this matter was desirable, but the present proposition might be dangerous. It might be advisable to try an experiment on a small scale, such as taking 1 instead of 5 per cent. He agreed in the propriety of encouraging the growth of our own wool.

Mr. *Davies Giddy* was anxious to see the proper degree of encouragement applied to the growth of wool, although he was aware that the cotton trade must necessarily interfere with it. It was to be regretted that we had no public wool-market, and that the laws threw so many obstacles in the way of the transmit and coasting trade.

Sir *H. Parnell* approved of the object of the motion, but recommended the withdrawing of it for the present.

Mr. *J. P. Grant* was of opinion, that the wool trade ought at least to be put on an equal footing with every other branch of trade. As an article of revenue, the auction duty on the sale of wool produced nothing, and could, therefore, be maintained only on some principle of real or supposed commercial footing. It stood before the House as a mere matter of regulation, and he was happy to find from the liberal views expressed by the Chancellor of the Exchequer, that there was now ground for looking to the entire abrogation of those laws relating to the wool trade which were a disgrace to the legislation of the country.

Mr. *Holme Sumner* was surprised that the attention of the Chancellor of the Exchequer had not long since been applied to this important subject.

Lord *Lascelles* approved of the measure, although he did not think it would be as productive as seemed to be at first sight supposed. He recommended that it should be merely noticed this session, and resumed early in the ensuing one.

Mr. *Rose* recommended the most ample deliberation previous to any legislative interference with the laws in question.

Mr. *Western* thought his motion had been in some degree misconceived. He had proposed no measure at all connected with the laws relating to the exportation of British wool; his object was specifically confined to the auction duty.

The motion was agreed to, and the House resolved itself into a committee on the acts in question. A resolution was then agreed to, that a Bill should be brought in for reducing the auction duty on the sale of sheep's wool, the growth of this country.

APPRENTICES IN COTTON MILLS.] Sir *Robert Peel* called the attention of the House to the expediency of some legislative regulation, for the purpose of restricting the employment of young children in manufacturing labour. It was well known that a bad practice had prevailed of condemning children whose years and strength did not admit of it, to the drudgery of occupations often severe and sometimes unhealthy. What he was disposed to recommend was, a regulation that no children should be so employed under the age of 10 years, either as apprentices or otherwise, and the duration of their labour should be limited to 12 hours and a half per diem, including the time for education and meals, which would leave 10 hours for laborious employment. The accounts he had recently seen, showed that it was not so much the hardship as the duration of the labour which had produced mischievous effects on the health of the rising generation. It was to be lamented, however, that the inspectors appointed under a late act had been very remiss in the performance of their duty. He should, in consequence of this misfortune, propose, that proper persons be appointed at quarter-sessions, and that they should be paid in due proportion for their trouble. It was gratifying, however, to learn, that the loss of life had been of late exceedingly small, not exceeding one per cent. per annum; a loss falling short of the average loss sustained in every other class of manufacturing industry. As he was desirous that the measure he was now suggesting should be put into the most perfect state that was attainable, he should submit that the Bill for which he intended to move might be read a first time, and then printed. During the recess it might be circulated through the country, and receive the proper amendments. It could, if it should be found necessary to guard against the arts of designing men, be afterwards made a part of the Bill,—that no engagement contracted after this period, in violation of the provisions of the Bill, should be lawful. Under these considerations, he moved for leave to bring in a Bill, "to amend and extend an Act made in the 42nd year of his present Majesty, for the preservation of the health and morals of Apprentices and others employed in Cotton and other mills, and Cotton and other factories."

Mr. *W. Smith* expressed his cordial approbation of the Bill. He considered the hon. baronet the fittest person to bring the subject forward, and was glad it had fallen into such good hands. He was only sorry it had not been introduced earlier in the session, and hoped even now, it might be passed into a law before the recess. The bringing of it in alone, he was of opinion would do some good; and the notice that children employed under eight or ten years of age, would not be considered as permanently engaged, would of itself in some degree correct the evil.

Mr. *Horner* observed, that the former measures, and even the present Bill as far as he could understand its object, fell far short of what Parliament should do on the subject. The practice which was so prevalent of apprenticing parish children in distant manufactories, was as repugnant to humanity as any practice which had ever been suffered to exist by the negligence of the Legislature. These children were sent often one, two, or three hundred miles from their place of birth, separated for life from all their relations, and deprived of the aid and instruction which even in their humble and almost destitute situation they might derive from their friends. The practice was altogether objectionable on this ground, but even more so from the enormous abuses which had existed in it. It had been known, that with a bankrupt's effects, a gang, if he might use the word, of these children, had been put up to sale, and were advertised publicly as part of the property. A most atrocious instance had been brought before the Court of King's-bench two years ago, in which a number of these boys, apprenticed by a parish in London to one manufacturer, had been transferred to another, and had been found by some benevolent persons in a state of absolute famine. Another case more horrible had come to his knowledge while on a committee up stairs;—that not many years ago, an agreement had been made between a London parish and a Lancashire manufacturer, by which it was stipulated, that with every 20 sound children one idiot should be taken! A practice in which there was a possibility that abuses of this kind might arise, should not be suffered to exist; and now, or in the next session when the Bill should be discussed, should meet with the most serious consideration.

Mr. *Philips* said, that the system of supplying the manufactories with parish apprentices had been resorted to at a period when there was not a population in their vicinity to furnish the number of hands required; but a population having been formed by this plan, the practice had latterly been greatly diminished. Some years ago he had paid great attention to this subject, and had had the satisfaction of finding the situation of the children was much improved. The number of young hands employed was not so great as might be supposed. In one of the principal cotton manufactories in the island, he had found the total number of hands employed was 957, of which number he found there were 33 under ten years of age, 72 between ten and twelve, 140 between twelve and fourteen, and 712 above the age last mentioned. In other respects their situation was different from what had been understood. Upon the whole, he was glad the hon. baronet did not wish his Bill to pass in the present session, as he, for one, had not made up his mind on the subject, and wished for time and opportunity for making further inquiry.

Mr. *Holme Sumner* approved of the Bill, but thought a short bill might be passed this session, calling for information as to the state of the manufactories, that the House might be better able to legislate satisfactorily on the subject.

Leave was given, and the Bill was afterwards brought in, and read a first time.

East India Ships Registry Bill.] The Chancellor of the Exchequer having moved the order of the day, for the House to resolve itself into a committee of the whole House, upon the Bill "to make further regulations for the Registry of ships built in India,"

Mr. Alderman *Atkins* said, that he felt it to be his duty to oppose the Bill in its present stage. The ship-building estaments on the banks of the Thames had for a long period furnished employment for from 3 to 4,000 mechanics. He apprehended it was the intention of Government to make such an arrangement, that those India-built ships already employed in the trade between the two countries might be admitted in British registry; but if it was intended that new ships of that class which had lately been furnished by India, might still be introduced into our commerce, the business of the establishments on the banks of the Thames was at an end. He then went into a series of calculations from documents before the House, to show the great importance of the building of ships engaged in the India trade to the shipwrights of this country. If the building of these ships was to be transferred from England to India, the great establishments on the banks of the Thames would be totally annihilated, and instead of furnishing employment for 3 or 4,000 men, he calculated they would not keep more than 3 or 400. He spoke at some length on the falling-off of the trade formerly carried on in the yards on the banks of the Thames, and reminded the House of the service rendered to the state by the ~~14~~ ~~or~~ 15 sail furnished from the private dock-yards of the Thames, when the combined fleets of France, Spain, and Holland, were opposed to the power of this country, before the battle of Copenhagen; and inquired what would have been the situation of England, if wanting this resource, it had been necessary to wait till such a force could be obtained from India. He insisted upon it, that it was the duty of Government to protect the interests of establishments to which the country owed so much. Deprived of the building of ships for the India trade, how were the artisans in the dock-yards to be employed in times of peace? He could not believe it was the intention of Government to ruin the English ship-wrights, and did not expect that the right of registry would be extended to any ships which were not engaged in the trade carried on between this country and India. If, however, any ships of 1,500 tons were to be built in India, to be employed in our commerce, there was an end of the trade carried on in the yards on the Thames. In case of a long peace following the present war, how were the numbers of men now employed in the dock-yards to find work, if the commercial marine should not be able to find employment for those who were no longer necessary to our military marine? The hon. alderman contended, that no apprehensions could seriously be entertained of the scarcity of oak timber, lamented the number of workmen whom the present Bill would necessarily throw out of employment, and concluded by opposing the Speaker's leaving the chair.

Mr. *Wallace* rose. He said he had no difficulty in answering the questions of the hon. alderman, and stating, that it was intended that the registry should be confirmed to all ships built within our Indian possessions, and employed in the trade between the United Kingdom and India, which had already received it; and that it was not intended that ships of the same description, employed in the East-India Company's trade, should be excluded from the benefits of the present Bill. Having said this, he entered upon the consideration of the measure itself, and assured the House that, if he entertained the same apprehensions of the consequences to be expected from it which had been stated by the opponents of the measure; if he believed that a serious injury was to be inflicted by it on the British ship-builder, or that the construction of our large ships was to be transferred to so distant a branch of the empire, he should be as unwilling to give his support to its further progress as the hon. gentleman who preceded him. Nothing, he admitted, would be more impolitic; but so far from feeling this danger, he could see in the measure before them no encouragement afforded to the East-India ship-building beyond that which was essential, as well to the security of our valuable possessions in the East as to the general political and commercial interests of this country; and instead of being injurious, he considered it as affording not a nominal, as it has been represented, but a substantial protection to the ship-builders of Great Britain against the most formidable rivalry they could encounter; a protection become the more necessary from the increased number of India-built ships registered in the course of the last year; a protection, too, in his opinion, founded less in strict justice, than in considerations of partiality to those very interests of the ship-builder at home, of which the advocates of the Bill were accused of being so culpably destitute.

No measure had ever been the subject of more misconception and misrepresentation than the present Bill. This was apparent in all the petitions which had been presented against it. The petitions were of two kinds: those from ship-builders of the Thames, and those from the outports. Of the former he could not help thinking he had some reason to complain, when the petitioners stated a belief that there existed a systematic plan for the introduction of India-built ships, not only to the India trade, but for sale in this country; and the more that such an insinuation should have been thrown out after the measure had been explained and discussed in conference with his Majesty's ministers; and after the petitioners had had in their hands the Bill itself, the provisions of which not only afforded no ground for any such apprehension, but directly refuted it. Why, then, was it introduced? Why, but to excite the alarms of the builders in the outports, and to induce them to unite their clamours with those of the Thames builders against the measure. This project, however, was not attended with very eminent success. From the whole number of outports there were last year about twelve petitions, and those unsupported before the committee; and all, he believed he might venture to say, proceeding on a misunderstanding of the Bill against which they were directed. They assumed its object to be to convey to the ships in question the privileges of British ships, and so admit them to the general trade of the country; while the very end and purpose of it was to confine them exclusively to the India trade—a trade which, from its very nature, must be confined, in a great degree, if not exclusively, to India-built ships; a trade which the outports never had enjoyed, and never could enjoy. Some of them, after stating the decline of ship-building, attributed it to the admission of the India-built ships—a cause which it was impossiple could have produced such an effect. Of all the ships admitted to British registry in 19 years, amounting to 94, it appears that only 17 could be found in the general trade of the country—not quite a ship a year; and, taking the average of the British building at 556, not amounting to a five-hundredth part of it. Is it possible this could have had any sensible effect? In addition to this, it appeared that, in the last year, when these very petitions were presented, the ship-building of Great Britain (notwithstanding the alleged want of building on the Thames) not only equalled, but considerably exceeded in point of tonnage the average building of the preceding 20 years. Had those who signed these petitions been aware of these circumstances, he did not believe they would ever have set their names to them; in fact, they had no interest in the question—it was purely connected with the interests of the builders of the Thames; all the evidence was confined to the effect the measure might produce upon the Thames builders: a most respectable body of persons undoubtedly, but little in comparison to the general ship-building interests of the empire; and even of the Thames ship-builders it was comparatively a small proportion who had an interest in the building of ships for the India trade, as it seemed not more than six or seven had ever been employed in that line. It was, then, these establishments and their interests exclusively which were to be weighed against the great national considerations, both commercial and political, which this measure involved.

It was said to be founded on temporary Acts which were a departure from the true principle of our Navigation Laws. This Mr. Wallace denied. The object of those Acts, he observed, was, as far as they were connected with the present measure, to correct the effect of an act which, in respect to the ships of British India, was in direct contravention of that principle. What was the primary principle of the Navigation Laws, as it was to be collected from the enactments themselves? Ship-building? No: the extension of commerce and the formation of seamen. From Oliver Cromwell, through the reigns of Charles 2 and James 2, down to the middle of William 3, it was only required that the ships entitled to the privileges of British trade should be owned by British subjects; and this provision was extended to the islands, colonies, and territories in the possession, or which should be in the possession, of his Majesty. It was not till the period last mentioned, (the reign of William 3), that the ships were required to be British-built; and was it then confined to the mother country? No: it was still extended to the colonies that actually did or might belong to it. Under this latter enactment the privilege was enjoyed by America; and I should be glad (said Mr. Wallace) to ask on what principle it is that an advantage enjoyed, without objection by America, and especially by Canada, is denied to our possessions in India? What, then, are they not colonies? Do they not come under the principle and within the meaning of the Navigation Laws? Has this been the opinion of the Courts? Mr. Reeves gives you several cases, and these are confirmed by the highest authorities of the present day. It is by one provision of the Act of the 26th of the King, they are inadvertently excluded; I say inadvertently, because the principle of the Bill is as extensive as the Act of Charles 2d, and equally embraces the colonies and foreign territories of his Majesty. The difficulty is a technical one, and a technical one only, which an arrangement with the India Company might easily remove. If this be the fact; if they are entitled in equity to registry under the Navigation Laws, and that registry would communicate to them the general privileges of British shipping, this measure, which confines the future employment of them exclusively to the trade between this country and India, is, in effect, really restrictive. But, say the opposers of the Bill, admitting this, we then contend, that for the security of our interests it does not go far enough. Not far enough? After all the clamour we have heard; after all the encouragement this Bill is alleged to offer to the shipping of India, our subjects there will not be on a footing with those of any foreign state in amity with Great Britain. And although there may be, and certainly are, good reasons for imposing upon them the restriction it contains, it is not the less a restriction in favour of the foreigner. One should have thought that the placing 50 or 60 million of our subjects, who are constantly ministering to the wealth, the strength, and resources of the country, on a footing less favourable than even that of a foreign friendly state, might have satisfied the spirit of commercial jealousy itself—but it does not, it seems, satisfy the ship-builders of the Thames. They call for still more restriction, and invoke every principle of national policy in their support. To maintain pretensions so extravagant, no common case will be sufficient: if expediency can ever be pleaded against justice, it must at least be an expediency clear, decisive, important, and national: it is not enough to show that a few establishments on the Thames may be eventually affected; it must be shown that the injury is certain and direct, and that in that injury the national security itself is deeply involved.

Now let us see what is the case brought before us, in the papers on the table, in support of the proposition adverted to. It appears to divide itself into the actual state of the building yards on the Thames; the prospect of ruin to them from a probable want of employment, and the effects this ruin will have on the public interests. As far as the statement is well founded with respect to the condition of the yards, I regret it sincerely; but I can by no means allow, that of all this calamity, the admission of East-India-built ships is the cause, or even among several causes the most prominent. That the want of building for the India trade is one among the causes no one will deny; but there are other causes, which (however little their exposure might serve the purposes of the petitioners) are of at least equal effect; the cessation, for instance, of the employment of Government, which for some years had been very extensive, and, I must add, the improvidence of the Thames ship-builders themselves, who by their excessive charges have contrived to drive from the Thames every species of building, but that of the most expensive description. It is impossible not to be satisfied, that among the causes improvidence must have its share; why else, when ship-building is actively proceeding in every other part of the kingdom, when the aggregate building of the year exceeds, as has been stated, the average of the last 20 years—the Thames, and the Thames only should be deserted? Such, however, is the fact; and it is for this loss, for the loss of the employment of Government, and for this consequence of their own improvidence, that these gentlemen are now seeking indemnity at the expense of

India, of the national interests, and of justice itself.

The dependence of the Thames establishments on the building of East-India ships, Mr. Wallace observed, was not borne out by the evidence. By an account before the House, it appeared that the average building for ten years in the Thames for the India Company, was two ships a year. Now, could two ships give support to twenty-one yards? But if, added he, every India-built regular ship in the India Company's service had been built in the Thames, it would not have made the difference of one a year, and therefore could not have obviated the distress complained of; as he had been given to understand that the annual building of 6 or 7 ships was necessary to the maintenance of the establishments in question. The general want of employment in the Thames was the consequence of peace; an event for which the Thames builders ought to have provided by preserving the West India, and other building which they had formerly enjoyed. He observed that the same state of things, and the same complaints had followed the return of a former peace, by which the Government employment necessarily ceased; and quoted a petition from the shipwrights in 1787, to show that similar distress had been said to exist at that time, when it appeared that the building of India ships was carried on to an unusual extent. He stated the India building to have been little more than one-third of the building in the Thames, and referred to an abstract of men employed in the three principal yards, which showed that nearly the same numbers were employed in them, whether building for the India trade was going on, or not. He then entered into some calculations respecting the shipwrights, to show that even without any of the building for the East-India trade or for Government, the greatest proportion of the business of the yards might be supposed still to remain to them, if the evidence on the subject was to be relied on. Efforts had been made to connect the decline of building for the East-India Company with the admission of India-built ships, which led him to advert to several accounts to show that the building for the India Company had been greater since 1793 than in the 20 years previous to that date, during which period no Indian ships were registered, and the Commutation Act which so much increased the shipping of the Company was passed; and also to show, that the building for the Company was the greatest in periods when the greatest number of India ships were admitted to registry. He then stated, that the want of India building in the Thames was chiefly attributable to the extension of voyages and the present state of the Company's ships in respect to their engagement; by an account before the House it appeared that not less than 30 regular ships would require to be replaced for the immediate exigencies of their trade. If, therefore, no ships had been built in the Thames, it was not because India-built ships had been substituted for them, but because in fact the Company, for reasons of their own, had deemed it prudent, in a great measure, to abstain from taking new ships into their service.

This state of things, he argued, must speedily lead to new contracts; and then entered into the question of the probability, or rather necessity of their ships being built in the Thames.

It might be urged, that it was for the interest of the India Company to encourage the building of ships in India from the advantages they derived from it:—in some respects this was true; and he hoped, to a certain extent, they would encourage it. But the building in India did not depend entirely on the pleasure of the Company: the law prescribed the manner in which ships must be taken up by them when they were wanted. They might give permission for the building in India, but they could not command it. It might be for the interest of the parties who engaged to build the ships, rather to build here than in India; for though the India-built ships, if to be purchased, might be on the whole cheaper, yet if each of the owners were to supply the articles of equipment from his own manufactory, it might be to them more advantageous to build here. As a proof of this being the case, he adverted to an account, showing that in the course of certain years, out of 13 ships laid down on the bottoms of others, one only had been laid down in India. He mentioned the capacity of India to supply the demand if made upon her. Neither the present means of Bombay or Bengal were at all adequate to meet it. It was true, that great facilities of increasing the docks were said to exist: but even if that were done, where were the shipwrights to be found? It had been strongly insisted upon in evidence, that no British shipwright was competent to his business in less than seven years; and it was hardly to be believed that the natives of India, whatever credit might be given to their ingenuity and aptitude to the mechanical arts, could perform that at once, for the performance of which an Englishman required seven years instruction. Referring to the advantages derived to this country from the ship-building in India, he said it was a great error to imagine, that every ship which was built and equipped in India, for the trade between the two countries, was a loss to our industry and manufactures at home. A great proportion of the equipment of every ship, amounting to not less than one-third of the whole cost, was sent from this country: he instanced the Balcarras, the cost of which was about 60,000*l.*, for which articles of British manufacture to the amount of 22,000*l*, had been exported. He had understood that a similar proportion of European articles was used in the building of the ships employed in the country trade; if that was the case, the advantage this country had derived from the shipping actually belonging to the ports of Calcutta and Bombay, could not fall short of half a million. The repairs, too, of the India ships, which by their exclusion must be totally lost, were not of so insignificant an amount as they had been sometimes represented. Of this the Thomas Grenville was an instance; which, in repairs and equipment in her three first voyages, had produced an expenditure in the Thames of nearly 70,000*l.*; and there were to be found in the minutes of the evidence on the table, accounts of the expenditure of India-built ships employed in the private trade with India, and belonging to three mercantile houses, amounting to near half a million.

With respect to the articles sent to India, it was said, that though the fact be true, at present, it is an advantage that cannot be expected to be more than temporary; that in the rapid progress of improvement in India, the several articles of equipment alluded to, would soon be supplied there. This he doubted; at least that it could be so in any short period. It was true, the people of India possessed iron, and had long possessed it, but had never been able to convert it to the purposes required in the construction of ships. That copper could be procured from other sources than Great Britain, was also true; but it was equally so, that no man had ever known a ship coppered with Indian copper; or a bolt, or even a nail manufactured from it. The fact was, that it was not adapted to these purposes, but employed exclusively in the fabrication of the common domestic utensils in use among the natives. Cordage, indeed, was manufactured in India, but of a quality so inferior to the British, that it appeared the latter alone could be relied on for the most important parts of the rigging. Sails also were manufactured there; but that they had come into use in any considerable degree, was owing to the enormous difference of price between canvass of Indian and European manufacture, as stated in the evidence; and yet, even with this enormous difference against the latter, it appeared it was still preferred for ships that were intended to pass the Cape. It had been stated as a great advantage on the part of Indian ships, that they were built free from taxation. How far this advantage could be claimed for them Mr. Mitchell's testimony sufficiently explained. It appeared from his statement, that on the imported articles manufactured subject to British taxation, and by British labour, additional duties to the amount of about 8 per cent. are levied; that the building and timber are subject to heavy duties; and by a new regulation, the Company oblige the builder to purchase timber of them exclusively, and at their own price; which, he believed, was about 20 per cent. more than it could be obtained for, if he was at liberty to seek it at the best market. Mr. Wallace regretted, he said, that such restrictions as he stated did exist, and trusted that a wiser system would be adopted, and the Indian builders relieved from some of these impolitic imposts. Under this taxation, and other circumstances, he believed the Indian-built ships were brought to sea at a higher first charge than those built in England. The advantages they possessed, arose from their superior durability, the less frequent necessity for repair, and the benefit of a home freight. These were the advantages which, it was said, created so decisive a preponderance in favour of Indian building, as to require a legislative protection against it: in these advantages is the whole case of our opponents. Admit these, say they, and you admit every thing. These, Mr. Wallace said, he did admit, and only regretted that in effect they were not greater than they really were; because it would be the means of securing to this country, with greater certainty, all the commercial advantages he anticipated from the employment of them. Against these advantages protection was sought: we were modestly called upon, for the benefit of a few Yards on the Thames, to deprive one of the most important branches of our empire, as well as ourselves, of all the benefit of the great natural advantages she possessed, because, forsooth, they were so great: we were called upon to protect the British ship-building as a manufacture. It was said, You protect the cotton manufacture —you protect other manufactures—Why not that of ship-building?—This sounded plausible; and were it the ship-building of the country that was likely to be affected, he should not, he owned, hesitate in holding a course directly the reverse of that he now held. But such was, happily, not the case; the protection so claimed for the whole, could apply only to comparatively a very small part. Of that part, too, it was right perhaps to consider a little the real value. It was not his intention to institute any invidious inquiry into the comparative merits of the building in the King's dock-yards, and the merchants' yards. He was ready to admit, that the ships constructed in the one might be as good as those of the other; they were, however, considerably dearer: Mr. Seppings stated the difference as high as *5l.* per ton, which in a frigate makes *5,000l.*, and in a seventy-four about *10,000l.* On these terms we may receive, and have received, ships from the merchants' yards when they were required; but this was the extent of the whole public advantage derived from them. Men we obtained from them almost none; they were chiefly supplied by the northern ports. Mr. Seppings also told us, that such were the improvements which had been made, and the regulations introduced into the King's dock-yards, as to render Government in future, whatever might be the demand, entirely independent of external aid, both in respect to the repairs and the building of large ships. Frigates, it was known, had been and might be equally well built at the outports. It was true, it might be more convenient to repair or build in the Thames than at the outports; but it was only more convenient. What, then, became of this public necessity for the maintenance of these Thames establishments, upon which the security of the country, and the support of the navy was said so much to rest? It resolves itself into a mere matter of convenience—a questoin, whether the same thing shall be equally well performed in a nearer or a more distant port. If, Sir, no one ship that is ever again to sail between this country and India were to be built in the Thames, our navy, thank God, might still be secure. The fictitious importance ascribed to these establishments I always thought ridiculous; and when touched, it dissolves into air. If, then, we are to make a sacrifice to them, it is not from any alarms for the future—it is for services they have already performed —services which I am far from depreciating, but which I must observe were not wholly without their reward—services, however, which I cheerfully admit, with this proviso, that if they are to be pleaded on the part of the Thames builder, they may be equally admitted on behalf of the Indian one? If we are to be told of the battles of Camperdown and Trafalgar, we must not forget the acquisition of the Cape, of Ceylon, of the Mauritius, of Java, and the glorious expedition to Egypt: these bear honourable testimony to the public services the Indian ship-builder has rendered; and if still greater services have not been performed, it is only because greater exertions have not been demanded from him.

We are required to protect the Thames ship-building as a manufacture—this sort of protection is at all times a matter of rather questionable expediency; it is not applicable in any case except where there is a complete command of the market; for to impose duties upon those who have the obvious resource of finding their supply elsewhere, is as absurd as it must be ineffectual. It is a principle, too, that has never been applied to the shipping of our colonies; nor is it less incompatible with sound policy than repugnant to the letter and spirit of our Navigation Laws.

It was said in the debates on the Corn Bill, that corn was a kind of raw material, the price of which entered into every thing; the same may be said of freight, with respect to every manufacture that derives raw material from import, or is itself afterwards to be the subject of exportation. In commercial competition a low freight is an advantage; and if from natural or political causes you are subjected to a high one, it is a disadvantage you would resort to all prudent means as far as possible to remedy or alleviate: but for a commercial country voluntarily to inflict on itself this disadvantage, seems to me an act of self-immolation, that would prove something little short of insanity; and for a body of men gravely to recommend it, appears, I must say, to argue a degree of boldness that the word effrontery very feebly describes. Yet this is precisely what is proposed to you by the opposers of this Bill. And when? not at a moment when by the commanding superiority of your fleets scarce a foreign ship traverses the ocean; but when the restoration of peace calls forth again into life the long-suspended commercial enterprise of every part of the world, and exposes your trade to various competitions, against which you have no arms but those of a commercial nature to contend with. Amongst the first objects for which you have thus to struggle, is the trade of India, as a participation in it will be the first object of foreign states to obtain. They possess, undoubtedly, a great advantage in the cheapness of their ships, but that is the whole. We also have our advantages; we have, if not so cheap as theirs, a description of colonial shipping cheaper than our own British shipping to resort to. It is said, indeed, that even then foreigners will have the advantage; that our efforts to secure the trade must prove unsuccessful and that we are incurring therefore an unprofitable risk. This would be true if on this one point alone the issue depended—but have we no other advantages? the facilities which residence and our long connexion with the country has created, the partiality which subjects will always feel to their native country, and, above all, what no foreign nation can possess, unless our unjust and impolitic restraints throw it into their hands, a commanding capital ready for us on the spot. The chief support of a great proportion of the trade from India, is known to depend on the remittance of the acquisitions of individuals. They will naturally give the preference to the British trade, on equal, or nearly equal terms. This preference, however, has its limits, which, if exceeded, the benefit of that remittance is immediately diverted to the support of foreign commerce, and passes under foreign flags. Now, the measure of this preference has been experimentally ascertained, and we know it to be precisely the difference between the forced employment of British and the free employment of India-built ships. Experience has left no doubt on this point. The trade of America—the Portuguese, the Danish trade, all drew their chief support from this ill-advised restriction imposed on British subjects. The moment the restriction was removed, the trade fell into its natural channel, and the foreign export trade lost all the support it had hitherto derived from British capital. Lord Wellesley, in his letter to the Court of Directors in 1800, tells them "It would be doubtful whether foreign nations would be able to retain any considerable portion of the trade from India to Europe, were the British merchants in India permitted to avail themselves of their superior means of drawing the whole of the trade to England. Their local knowledge, added to all the advantages necessarily derived from a constant residence on the spot, must always enable them to command a supply of goods of a better quality, and at a cheaper rate than foreign merchants can obtain. In the conveyance of Indian goods to Europe rests the foreign merchant's sole advantage over the British. The superior facility which the foreign merchant enjoys in this respect, giving him so decided a command over the trade, that he is enabled not only to outbid the British merchant in India, but also to outbid him in the markets of Europe. Were the British merchants in India permitted to provide their own tonnage as occasion might require, every reason exists to justify a belief that they would soon possess themselves of nearly the whole of the private export trade from India to Europe, and would render London the universal mart for the manufactures and produce of Asia."

This opinion is amply confirmed and supported, by the reports of external commerce; it appears that three-fourths of the trade to Hamburgh, Denmark, and Portugal, was carried on by British capital till the year 1798. He distinctly states in his report, "that in 1798-9, when British merchants in Calcutta were permitted to load their own ships, or to make their own arrangements for freight to London, there was not a single bag of sugar, or bale of cloth, shipped by them to any foreign port; whereas if such permission had not been granted, the shipments in Anglo-Danish vessels would have continued." Again, "To the low rate of freight in 1798-9, may be attributed the additional quantity of gruff goods shipped to England in comparison with preceding years, and the total annihilation of the trade carried on in ships conjectured to be Anglo-Danes prior to that period." In another passage he says, "in consequence of the various publications which have lately appeared in London on the subject of the private trade of India, and the hopes entertained by many merchants residing in Great Britain, that India-built shipping would no longer be permitted to carry merchandize to the river Thames, as allowed by indulgence since the year 1798-9, the European Anglo-foreign trade has already commenced."

It would be easy, said Mr. Wallace, to multiply quotations to the same effect; but I flatter myself I have already done so sufficiently to show how much our possession of the trade of India is connected with the permission to use India shipping, and that, notwithstanding some advantages enjoyed by foreigners, we possess the power to secure it to this country, and to make her the great emporium of Asiatic commerce, if we do not improvidently reject the means that are open to us. Then, adverting to the importance of the private trade, he stated the sale amount of the imports from the year 1801 to 1810, to have been 24 millions sterling:—that it consisted, partly of goods for re-exportation, and partly of gruff goods and raw materials for the use of our manufactures. The first, as a carrying trade, must, of course, be affected by the price of freight: the latter he stated as having arisen out of, and being entirely dependent on, the employment of the India-built ships:—that it could not bear a high freight; that it required every facility that could be given to it, and that we must possess it through the medium of the India ships, or be content to abandon it altogether. Among the goods of the latter description were hemp, sugar, cotton, and many others. It was known how important the import of this last article from our own territories was; and it was not difficult to perceive how much more important it might, under certain contingencies, become to the manufactures of the country. From 1792 to 1811, it appeared that above 84,000,000 of pounds had been imported, (in one year 23,000,000) of which only 3,000,000 had been exported, leaving 81,000,000 applicable to our own manufactures. The actual advantage of this would not only be lost to us, but would be transferred to support the trade, promote the industry, and augment the resources and power of foreign and rival states, whose manufactures we should thereby foster at the expense of our own, and create a formidable competition against one of the most important branches of the national industry. Nor would this be all. Every hope that we can entertain of extending the sale and consumption of British manufactures in India, must rest upon the power of affording them at the cheapest possible rate to the consumers. This the return of the India ships, which have made the voyage to this country, furnishes, because the freight already received enables them to carry the return cargo almost without profit, and thus to afford the fairest chance of extending to the utmost point, to which circumstances admit it to be extended, the use of, and demand for, the manufactures of Britain amongst the vast population of our Eastern dominions.

It was asked, why this might not be effected by the British ships, of which the merchant might have the same command as of an Indian one. Was this all, then, that was essential to success? did no other disadvantage remain? Either the merchant must possess British ships in India, or must depend on their being sent from England. It was not his having the complete command of his ship, the assortment of his cargo, and the time of dispatch that was alone necessary to the merchant, but that his ship should be of the cheapest kind, and best adapted to the general purposes of his trade. The effect of imposing upon him British ships would be, to oblige him to use a species of shipping that had been stated in evidence, to be not only dearer but not adapted to the general purposes of his trade, which was that of India, while the employment of his ship on a European voyage was occasional. If he depended on the ships sent out, his supply of shipping must be precarious, governed by the views and speculations of the ship-owners at home, and would sometimes be abundant and sometimes deficient. Of such uncertainty the prejudice was obvious. It would, besides, throw the Indian merchants without resource into the hands of the British owner, and in fact place them in a worse situation than they were under the former system, so justly complained of; which at least, in case of distress, admitted of a resort to the native shipping. Was it to be expected, that under such difficulties any commerce could flourish? was it consistent with justice? was it consistent with the principle of the former proceedings of Parliament? The Act of 1793 recognized the necessity of a moderate freight, if we would secure to this country the full advantages of the commerce to India. Several provisions of that Act were founded on this principle, and a sort of free trade was grafted on the monopoly of the Company. The late lord Melville, the author of the Act, and who had introduced the provisions in favour of the private trade, confessed that they had completely failed in their object, and himself called for a revision of them, which took place in 1801, in order to effectuate the purpose to which they were avowedly directed, and which they had failed to obtain. Hence the arrangements in respect to the extra ships. This, again, from the embarrassments and obstructions it suffered, has been productive of nothing but dissatisfaction and complaint, which attended it up to the period of the final opening of the trade in the year 1813, founded on the very principle I have stated, and on the conviction that the trade could only be preserved to this country by encouragement, facility, and freedom. In vain, Sir, has the wisdom and firmness of Parliament triumphed over all the prejudices that opposed it;—in vain has it removed the monopoly of the Company and the restrictions connected with it;—in vain has it opened the commerce of India to the subjects of the empire,—if it imposes restrictions even more oppressive than the pre-existing ones, and pronounces a prohibition against the use of the only vessels in which that trade can be carried on with safety or success. This is not to realize, but cruelly to mock the hopes your former proceedings have created. This is not what the country, its manufacturers, and its merchants have a right to expect at our hands.

These, Sir, are the grounds on which I profess myself an advocate for the present measure;—these are the public advantages, commercial and political, which I confidently anticipate from it. There are other advantages of a contingent nature that may accompany it, and are not wholly without importance, though I own they have little influence on my opinion. One consideration particularly, I think, has been made to assume a much more prominent character in the discussion of this question than justly belongs to it—I mean that of the state of the timber, which occupied so much of the attention, and formed so large a part of the inquiry of the committee. I own, Sir, so little am I affected by this consideration, that had the result been totally different from what it appears to me to be,—were the existing and prospective abundance of oak timber as manifest as I think it is the reverse,—had every thing attempted to be proved on this subject been completely and unanswerably made out, it would not have shaken my opinion of the policy of this measure, or taken one jot from the earnestness with which I think it my duty to support it.

On entering the committee last year, we heard that all the results of the preceding inquiries into the state of timber were founded in error, and all the alarms which had been entertained in consequence of them, idle and visionary. This proposition, considering how these inquiries had been conducted, and by what persons these alarms had been felt, appeared rather hazardous; and, in fact, the success, in point of proof, corresponded so little with the boldness of the statement, that I came out of the committee with pretty much the same impressions under which I entered it; namely, that such was the state of the timber, as to render every practicable economy in the use of it highly desirable, if not indispensably necessary.

I will not trouble the House with going through the different inquiries that have taken place within a few years; that before a Committee of this House in 1771, which led to the Restraining Act of 1772; that of the Commissioners of Woods and Forests in 1792; with that of the Commissioners of Naval Revision at a subsequent period, forming the ground-work of the plans which have been adopted by Government to provide for the future supply of oak to the British Navy. All these investigations tend to prove, that those who have been engaged in them have had a similar conviction of the progressive deficiency of naval timber. Scarcity and abundance are relative terms. In speaking of the former, I wish not to be understood as supposing, that there is not a great deal of oak in the country: that in various parts of it, if it was within the power of Government, a supply for several years might not be found. If it should appear, that the demand has been easily met at a moderate price, and without the assistance of foreign importation, I am ready to admit it is a proof of sufficient supply: but if that is not the case, if the demand has been met with difficulty, and at a progressive and rapidly increasing price of the article, and with the assistance of a great annual foreign import, I think I do not ask too much if I say the existence of a practical scarcity ought to be conceded to me.

The witnesses adduced on one side, are most of them clear that there is no actual scarcity, and none to be apprehended; and this opinion appears to be founded chiefly upon their own comparatively narrow dealings, which they state to have been easily supplied. Of the amount of the general demand and means of supply they know nothing. All they know is, that the quantities they have wanted they have found, and that there is a great deal of oak of various descriptions growing in different parts of the country. Now, Sir, I have been at the trouble of taking the amount of the dealings of each of these individuals, to see what inference could be drawn from their being so readily supplied, and I find that all together they amount annually to about 38,000 loads, which is not more than one-fourth part of what is required annually for the naval purposes of the kingdom. With respect to what is standing, the evidence is very loose; it is what these individuals have seen in going about the country, or what they believe to exist in the districts they are acquainted with. Mr. Read tells us, he could find in eight counties a 74 in each county, that is about 3,000 loads; but there would be no more such timber for the next 50 years. Mr. Hervey, a most intelligent witness, estimates the power of Staffordshire, which he deems one of the best wooded counties in the kingdom, at 10,000 loads a year, if gentlemen could be induced to cut. What is this, compared to the demand? It would require twenty counties as well wooded as Staffordshire to meet it; and where are they to be found? It has been said, that the supply has hitherto been found in the home counties, and that the vast resources beyond this circle are as yet inviolated. Let this be answered by the account of timber brought round the Land's-end for the use of the dock-yards; which will sufficiently show how much the remoter counties have already contributed. By this it appears, that of timber contracted for by the Navy Board in eight years, 154,822 loads came round the Land's-end, while 89,366 were supplied by the home counties. The diminution of large timber is a circumstance not to be denied. It is expressly admitted by many of the witnesses, and the great increase of price by all. Mr. Alexander, an experienced dealer, tells us, that on the same farm for the same species of timber, he now gives 12 or 13*l.* for what, 20 years ago, he paid from 50*s.* to 3*l.* 10*s.* What rise in any other article bears a proportion to this? This, too, notwithstanding all the facilities afforded by the multiplied and extended internal navigations of the kingdom.

What have we on the other side? The confirmed proof of the greatly increased price; the admitted diminution of the large timber, positively stated to be not less than two-thirds in the space of a few years, and the difficulties of obtaining the supplies of timber required, with all the expedients resorted to to save it. It must be obvious, that the supply of an article can only be certain and permanent when it is advantageous to the producer; yet it may easily be shown, that it never can be a beneficial speculation to employ the ground on which alone oak will grow well in producing timber for the purposes of the navy. It is not less clear, that it cannot be a profitable speculation to preserve it to the age that those purposes require; and, according to the testimony of several witnesses, an earlier period of its growth is that at which it is most advantageous to the possessor to convert his trees into money. None of those, said Mr. Wallace, who spoke on the subject of the growth of oak, made its progress, even under the most advantageous circumstances, as far as I recollect, such as to double its value in 20 years. Now, it is well known, that money at compound interest, with which the fair comparison must be made, will double the original sum in a much shorter space of time.

If, then, it appears, that it is neither beneficial to plant, nor to preserve oak with a view to the navy, it may be asked, How has the supply been hitherto obtained? Why is so much wood planted, and why so much preserved? The taste of those who possess the land of the country—the pleasure of contributing to its beauty—the pride of possessing what marks the dignity and antiquity of a residence, and the affluence of its possessor, will solve the problem. But the same causes that lead to planting, induce the proprietors to plant trees of the more rapid growths; and those which lead to preserving, unfortunately, in very many instances, induce the proprietors to preserve it beyond the period when the timber can be useful in ship-building; hence, in parts of the country, appearances of abundance of wood, where, in fact, there is substantially very little, when brought to the test of regular examination. How easily men are deceived, we have a proof in the statement of some of the witnesses as to the quantities of timber standing in parts of the country with which they were acquainted, and which they estimated at from 82,000 to 103,000 load, but which, when brought to the ordeal of strict survey, turned out to be only a fifth of that quantity, namely, about 19,000 loads. If we may take the survey of Mr. Fermor, in conjunction with the evidence of Mr. Thorne and Mr. Staples, as a fair corrective of the accounts of the abundance of ship-timber said to be standing in the country, we shall find, that our dependence on our own internal supply, is not a very sound one. Lord St. Vincent, when at the head of the Admiralty, was so convinced of the necessity of economising the expenditure of naval timber, that he strongly recommended it to the East India Company to desist from building large ships; and they accordingly extended their contracts with the ship-owners for additional voyages.

In addition to these observations, Mr. Wallace adverted to the declaration of the ship-builders in 1805, when contracting for a certain number of ships, that if 40,000*l.* (which could hardly have obtained above 8 or 9,000 loads) was employed in purchasing timber for Government, their contracts, though at the augmented rate of 36*l.* per ton, would become ruinous to them. The means resorted to for the saving of British timber, as stated by Mr. Seppings; the use of fir; and the extensive importation of foreign oak into the dock-yards, which in one year amounted to 30,000 loads; all these circumstances, Sir, continued he, lead me irresistibly to the conclusion, that there has been a growing deficiency of naval timber, and that we are bound to avail ourselves of the most effectual means we can resort to, both for sparing and assisting the resources the country still possesses. If so, to what are we to look but to economy in the use of our native oak, and to the relief of our immediate wants by an external supply of timber fit for naval purposes? and if we admit external supply, whence can it be obtained with so many concomitant advantages, as from India?

It may be said, that the encouragement to build in India will destroy the price of oak in this country. In the degree in which building large ships shall take place in India, it will certainly lessen the competition for the large timber required for them, and produce this effect; but I do not think the possessors of timber in this country need entertain much apprehension on this ground, if they look only for a fair price for their timber; this will always be secured to them by the excess of the demand above the supply the country can furnish. It appears that for the ten years from 1803 to 1812 inclusive, the average consumption of foreign oak in the dock-yards has amounted to about 15,000 loads; if the whole of the shipping employed by the Company, taking it at 58,000 tons, and allowing it a duration of twelve years, was to be transferred to India, the probable annual building there would require not quite two-thirds of that quantity, or about 9,000 load; so that there would still be a necessity of importing for the dock-yards at home one-third of the quantity of foreign oak which had been heretofore imported annually. But, if those who possess oak desire (of which I fully acquit them) more than a fair price; if their object be to raise its value, by shutting out a competition, they must not stop at the opposition to this Bill; they must prohibit the importation of all foreign timber, which may enter into the market against their own; and, what will be the effect? What, but to increase the price of ship-building in the United Kingdom, in a degree absolutely incompatible with the commercial enterprize and prosperity of the country? —And let gentlemen consider what are the advantages they derive from commerce, now that it extends over every part of the produce of their estates, the effect it has had in the increase of their rents, as well as in the augmented value of the land itself. Let them compute this, and then calculate how far a few shillings, or even pounds per load upon the oak they possess, will form an adequate compensation for the possible consequences of checking the prosperity and efforts of our commerce.

If we require aid, India is a source that possesses recommendations which belong to no other quarter. We have, indeed, received solemn warnings of the hazard of making a great part of our naval means dependent upon so remote a territory, as if we had ever entertained so dangerous, so extravagant a notion. No man's sense of the impolicy of removing that great arm of our strength to a distance from the seat of government, goes beyond mine; but I must always distinguish, and beg the House to distinguish, between this which I condemn, and that for which I am the advocate, namely, the availing ourselves of the resources of India in aid of those of the United Kingdom; and thus, by seasonably sparing our own means, effecting our real independence, not only on India, but on the whole world. We are told that our possession of India stands on a precarious foundation—that it hangs on a thread. Is it more precarious than the amity of those Powers on whom we now depend for our naval supplies? But, be it so; be it as precarious as you will—and no man feels more strongly than myself the contingencies to which it is exposed—what is the inference? What is the lesson it should teach? What is the wisdom of him who has no reliance on the future? Is it not to enjoy the present?—The more, then, we are impressed with the perils that belong to the tenure of our dominions in India, the more eager ought we to be to profit by the means which that country possesses, of adding to our strength and supporting our resources while it is yet in our power. How long we may be destined to retain that miraculous dominion, which Providence for its own wise purposes has committed to our hands, it is impossible to predict; but if its tenure can be protracted by any human means, they are those of protection and support, not those of injustice and oppression. It has been asserted that the natives of India are not interested in this question; that it is only a few British merchants, established at the different presidencies, to whom its effects will be confined. It is a great proportion of the external commerce of India that is at stake. It may be true, that a few merchants at each presidency are the channels of that commerce; so, in this country, the merchants, who are the channels of commerce are, in comparison to the population, few in number: but is there one individual, be his station what it may, that does not feel the benefit which flows from the commerce conducted by them,—the landholder, the manufacturer, the agriculturist, the labourer; all feel it. Look around at the improved state of every part of the kingdom, and say what is the cause of it! Let us not, then, be told that the Indian is not alike deeply interested in the commerce of his country, through which the reward of his industry, and support of his family, are to be received; and let us reflect what effect it will produce upon the mind of that people when they shall see the ships of every European nation taking in the produce of their manufactures and transporting the fruits of their labour, except the British; to see their trade conveyed under every flag, but that of their natural and legitimate protector. It is true, that in this view they are less interested than Great Britain herself;—their manufactures will be supported, their industry will be rewarded, their prosperity will be promoted, though we shall not be the visible instruments of producing these effects, or reap any benefit from them.—To the natives of India, therefore, in this view, the question is of little comparative importance; to us, it is of the greatest, as it involves the preservation of an extensive and flourishing branch of our commerce, the support and encouragement of our manufactures, and, above all, the stability of one of the main foundations of our power in India; for in no way can power be so effectually strengthened and confirmed as by insuring the confidence, the gratitude, and the affection of those we govern.

Mr. *Marryatt* said, that the present Bill was calculated to give support to the people in the East Indies, at the expense of the most important interests of the ship-builders of this country, the encouragement of whom was most essential to the support of the British navy. He could not see the reason why they should be indulged with so great a preference in comparison of what was enjoyed by our colonial possessions, which were bound to take our manufactures at our own price, and to send us exclusively in return their raw material. In the East Indies they were exempt from all these restrictions. Their country was open to the flags of different nations, and they had a right to buy as cheap as they could, and to sell their commodities for the very highest price they could obtain for them: and as they were not subjected to colonial restrictions, they were not entitled to more than colonial privileges. The price of oak was not more than double the price it was sixty years ago, and the use of it was greatly diminished; of course the demand for it must be less, for it was well known that the supply of every commodity was in proportion to the demand. It was a fact well ascertained, that in various parts of this kingdom there were extensive plantations of oak, which had been set on foot within the last twenty years, and if the Legislature showed a strong inclination to encourage any measure that tended to depreciate its value, the proprietors of these oaks would be apt to grub them up and destroy them; and if after that, by the loss of India—which the right hon. gentleman had acknowledged was more than probable—we should be thrown back on our own resources, we should then find we had impoverished ourselves. If this argument held good with respect to ships, it applied equally to all articles of manufacture in India, and that was directly contrary to the spirit of our system of legislation, which had always been directed to the protection of our own manufactures against the competition of foreign rivals. The right hon. gentleman had said, that no danger could arise to this country from building ships in India, for they could not build ships there. If that argument was true, it went directly against the Bill itself, for it was ridiculous to pass a bill for the protection and encouragement of ship-building in a country where such a measure was not to be effected. But the argument destroyed itself by going too far, as it was too well known that they could build ships, and had built ships; and further, that they could build them cheaper than we could in this country; and it was just as clearly ascertained, that all nations would purchase where they could do it the cheapest. The right hon. gentleman had also told us, we were in danger of losing India. He was sorry to say, that we had a similar version of that doctrine from even a higher authority than the right hon. gentleman. Warren Hastings himself had declared in that House that we held India only by a thread, and that thread was public opinion. India had already been three times in great danger from want of attention to this. Once from the interference and intrigues of foreign enemies, who had nearly turned the tide against us; another time from some ridiculous, but wanton alteration of their turbans or the cut of their beards; and the third from a difference between the King's and the Company's officers. It had been said, that we were bound to encourage and support India by all the means in our power; but we were not bound to give such encouragement at the expense or risk of our own paramount security—our maritime strength. For these reasons he should oppose the further progress of the Bill.

Mr. *F. Douglas* replied to the arguments of the last speaker, whose apprehensions from the enactment of this Bill he considered as altogether visionary. The hon. member appeared to him to have quite mistaken the authorities to which he had referred, with regard to the security of our Indian empire. That empire would be best secured to this country, by treating its inhabitants with justice—by allowing it to make use of its produce, and import its commodities on the fairest terms. Such was the object of this Bill, and therefore he should support it, being always willing to treat our colonies as friends rather than to deal with them as enemies, which seemed to be the import of the last speaker's observations.

Sir *Charles Monck* opposed the Bill. He had hoped, from the full consideration which this measure had undergone, that his Majesty's ministers would have seen the expediency of abandoning it altogether, as a measure inconsistent with those principles of national advantage which it was our duty to uphold.

Lord *Binning* supported the measure. What, he asked, had the hon. gentlemen opposite proved? Merely that recourse had been occasionally had to the merchant-yards in the river Thames, but not that they ought to be always employed. It would be a monstrous proposition to maintain, that the navy of England should depend on a few ship-builders in the river. He contended, that ships built in India were entitled, by the Navigation Laws, to be received and registered in the ports of this country. Though he did not think that oak timber was so scarce as was represented, yet from all the reports made on the subject at different periods, it was clear that there was a necessity for husbanding our resources. The benefit of the new charter would not be obtained if the House did not agree to pass the present Bill.

Mr. *Marryat* thought, that if the case required it, they might import timber, but not ships—not the manufactured article.

The House then divided on the question for going into the committee. The numbers were:

For going into the Committee.... 51
Against it 22
Majority .... —29

The Bill was accordingly committed, the blanks filled up, and the amendments agreed to. After which the House resumed, and the report was received, and ordered to be taken into further consideration on Thursday.

List of the Minority.

Astell, W.
Allan, G.
Calcraft, John
Crickett, R. A.
Carew, R. P.
Doveton, gen.
Davenport, D.
Ellison, Cuthbert
Egerton, J.
Grenfell, Pascoe
Houblon, J. A.
Lester, B. L.
Marryat, J.
Meyler, R.
Mitford, W.
Morritt, J. B. S.
Newark, lord
Ridley, sir M. W.
Round, J.
Sumner, H.
Western, C. C.
Wigram, sir R.

TELLERS.

Mr. Alderman Atkins
Monck, sir C.

HOUSE OF LORDS.

Wednesday, June 7.

LOCAL MILITIA BILL.] On the order of the day for the third reading of the Local Militia Bill,

Lord *St. John* rose, to state some observations and doubts with respect to this Bill, at the same time declaring, that nothing could be further from his intentions than to throw any difficulty in the way of the measures of defence and vigorous prosecution of the war which Government might find it necessary to adopt at the present crisis. The local militia had been found, he believed, a most valuable and efficient domestic military; which was in no small degree owing to the zeal and alacrity with which gentlemen of counties came forward as officers to assist in bringing this species of force to the utmost perfection of which it was susceptible, for the purpose of defending their own property and that of others. Nothing could be more impolitic, therefore, than to do any thing that might disgust these officers. But last year a part of this force had been called out for the purpose of enabling the men to volunteer their services for forty-two days out of their counties, a bounty of one guinea being given to each man so volunteering. While this volunteering continued, the regiments were in a state of the greatest derangement, and scenes of riot and drunkenness were permitted, subversive of military discipline, and not very creditable to the service itself. He spoke from his own experience, having commanded a regiment of local militia, in which these scenes had been exhibited to a very considerable extent. These things were apt to disgust the officers, and it was on this ground that he had doubts as to the policy of calling out the local militia for the purposes of this volunteering. He recollected also, that doubts had then been entertained whether Government had a right under the Act to call out the local militia for this species of volunteering; the Act only giving power to call them out for the purposes of exercise, or in case of invasion. He again repeated, that it was not his object to throw any obstructions in the way of the military exertions now making.

Lord *Rolle* stated, that he himself marched into a place which he named, at the head of a thousand men, called out for the purpose of this volunteering, and that all the officers had encouraged the volunteering to the utmost of their power. The men at first thought there was some trick in it, but afterwards they were satisfied, and volunteered cheerfully.

Viscount *Sidmouth* said, that nothing could be more fair and candid than the manner in which the noble lord had stated his objections to this Bill, or rather his doubts and observations upon it. He admitted that every thing ought to be avoided, if possible, which could give offence or disgust to the officers of this valuable species of force. Nothing could exceed the zeal and alacrity with which the gentlemen of the country had come forward in behalf of their country, and the exertions which all of them made to promote the views of Government in this particular. Their lordships had to consider first, whether the same occasion now existed for this measure as had existed when it was before resorted to; and if they thought that an equally pressing occasion did exist, they had then decided, in a great measure, on the principle of this Bill: that an equally pressing occasion did exist he was sure their lordships would feel, and therefore he need say nothing further on that point. The reasons which induced Government to have recourse to a measure of this kind, for it was not exactly the same as this, at a former period was this:—In order to procure a large supply for the disposeable force of the country, it had been thought expedient to allow a volunteering from the regular militia into the line to an amount of about one-half of the whole number of the militia. The militia amounted to

70,000 men, and it was expected that about 30,000 men might be procured for the army. This, however, would trench materially on the domestic force; and as it was intended, if possible, to avoid the mode of filling up of the regular militia by ballot, it was resolved to invite a certain portion of the local militia to volunteer their services beyond their counties for 42 days. By this means 17,000 men had been induced to volunteer, and therefore the expedient in a great degree, though not to the full extent, had answered the purpose. It was true that a notion had spread among the men, that if they accepted the bounty of a guinea, they would be liable to serve for an indefinite time, and in any part of the country, instead of being limited to the adjoining counties; but they must now have been satisfied by the fact that such a notion was erroneous. With respect to the present measure, the militia had, at the conclusion of the late peace, been in a great measure disembodied. In calling them out again, it was desirable to avoid the inconveniencies and personal vexations of the ballot, if it was possible to avoid it. He had now to state, that great progress had been made in raising them by beat of drum, and it was hoped that the mode of ballot might be avoided. But this mode of raising the men by beat of drum must take up some time, the duration of which could not be exactly calculated; and, therefore, it had been thought expedient that Government should be empowered, in case of necessity, to accept the services of a portion of the local militia out of their own counties. The service was to be only for 28 days instead of 42 days, as in the former act, and it was not intended actually to resort to the measure unless it should be found necessary. Under these circumstances, he trusted their lordships would think it expedient that the Government should have the power to accept of these services in the manner in which it was modified. The masters would feel much less inconvenience in sparing the services of their servants for the 28 days, than they must have felt when deprived of them for 42 days.

Lord *St. John* requested some explanation as to the power of Government under the act to call them out for this purpose of volunteering.

Viscount *Sidmouth* said, that Government had the power to call the men out for exercise, or in case of invasion; and the law officers of the Crown had given it as their opinion, that when called out, their services in this way might be accepted.

The Bill was then read a third time, and passed.

HOUSE OF COMMONS.

Wednesday, June 7.

INSOLVENT DEBTORS BILL.] Mr. *Lockhart*, by desire of his hon. and learned friend, (Mr. Serjeant Best,) begged leave to move, that the second reading of the Insolvent Debtors' Amendment Bill should be postponed to that day three months. He observed, that his hon. and learned friend took this course, with the view, not of abandoning the measure altogether, but of bringing it forward in the next session in such a form as he trusted would be in accordance with the general feelings of the House. With respect to the Bill now in existence, he had only to observe, that every day's experience showed how much it required amendment.

The motion was agreed to.

MASTER OF THE ROLLS IN IRELAND.] The Report of the Committee on the proposition for increasing the Salary of the Master of the Rolls in Ireland was brought up. On the motion that the Resolution be agreed to,

Mr. *Horner* said, that the proposed increase of the income of the Irish Master of the Rolls still appeared to him to be a most objectionable grant. The Master of the Rolls in Ireland ought not to have his salary placed on the same footing with that of the Master of the Rolls in England, as the latter had much more business brought before him, and had besides higher duties to perform. The proposed augmentation of the income of the Irish Master of the Rolls would make it nearly equal to that of the same officer in this country, as it went to raise it to 4,300*l.* while the emoluments of the Master of the Rolls in England, including every thing, did not exceed 4,500*l.* Till within these few years the office of the Master of the Rolls in Ireland had been a mere sinecure. Certainly it was not so now; but still he saw no reason for making the proposed addition to the salary attached to the situation.

Mr. *Peel*, in bringing forward the proposition now under consideration, had wished the same principle to be acted upon which had been adopted with respect to the puisne judges of Ireland. He had not intended to place the salaries of the Masters of the Rolls in England and Ireland on the same footing. The resolution which he had submitted to the House went to give the Master of the Rolls for Ireland an income of 4,300*l.* Irish currency. This, in British currency, was reduced to 4,000*l.* He had considered such an augmentation was but just, as a compensation for the Six-clerks Offices, which had formerly been at the disposal of the Master of the Rolls, but which had ceased to be so. The character of the present Master of the Rolls could furnish no objection to the grant, as in the discharge of his official duties, his conduct had given such general satisfaction, that only three appeals from his decisions had yet been received.

Sir *S. Romilly* raised no objection on the character of the individual holding the situation of Master of the Rolls for Ireland, but he did not consider the proposed addition to his income to be necessary as compensation for the disposal of the Six-clerks Offices being withdrawn from him. In lord Kenyon's time those offices were never sold. The sale of them, he believed, though established by usage, was not sanctioned by law.

Mr. *Peel* said, that in the last session an Act was passed, intituled " An Act for the further prevention of the sale or brokerage of offices," in which the offices of Six-clerks were recognized as being saleable.

Sir *Frederick Flood*, although in general disposed to disapprove of measures which went to charge Ireland with additional incumbrances, yet from the nature of the present proposition, and a conviction of its justice, he should give it his support.

Mr. Serjeant *Onslow* felt it painful to object to a grant proposed for the remuneration of a person holding a judicial situation, but he could not refrain from saying that the reasons given for the large increase of income now called for, were not such as ought to be satisfactory to the House.

Sir *J. Newport* did not think it necessary for the salary of the Master of the Rolls in Ireland, to be placed on the same footing with that of the Master of the Rolls in England. He wished time to be given for making further inquiries on the subject, and thought it might be well to defer bringing in the Bill till the next session.

Sir *J. Stewart* spoke in favour of the Report.

Mr. *J. P. Grant* thought he had the authority of Parliament itself for saying, that it had never intended the salaries of the Masters of the Rolls in England and Ireland to be placed on the same footing; as when the office of Master of the Rolls in Ireland was created, that difference was established between the emoluments of the two situations which existed at present. What the House had to consider was, whether the salary of the Irish Master of the Rolls was sufficient to support the dignity of his situation, and unless proved to be inadequate, no increase ought to be sanctioned. The repeated applications of this nature made to the House ought to be strictly investigated.

Mr. *Shaw* of Dublin spoke in favour of the resolution, and in flattering terms of the manner in which the present Master of the Rolls in Ireland performed the functions of his office.

Mr. *Horner* thought, if the Irish Master of the Rolls had been in the habit of receiving money for the Six-clerks Offices, he had been guilty of a gross breach of the law, and of a misdemeanor for which he might have been impeached. It might be sanctioned by the Act passed at the close of the last session, when very few members were present, and the subject could not be fully examined; but with the exception of the provisions of that Act, such conduct had no justification in law.

Mr. *Peel* was not aware that any vacancy in the Six-clerks Office had occurred since the appointment of the present Master of the Rolls, but he believed it had invariably been the practice of the person holding that situation to make a profit of them. Besides the purchase-money, a fee had usually been paid to the Master of the Rolls, which fee would now no longer form a part of the emoluments of that individual.

The Report was agreed to, and leave was given to bring in a Bill.

GREENWICH HOSPITAL ESTATES.] Sir *Charles Monck*, without imputing any improper conduct to those who had the management of the estates in Northumberland, belonging to Greenwich Hospital, (which estates, from his own observation, he could say, were in many respects managed exceedingly well,) thought it desirable that the House should be put in possession of the sums expended on, and the revenue derived from them. He therefore moved, "That there be laid before this House, an account of the gross rental of the estates of Greenwich Hospital, in the county of Northumberland, and of the net produce of them in the years 1808, 1809, 1810, 1811, 1812, 1813, and 1814, distinguishing the net produce of lands, houses, woods, mines, and other different kinds of produce, from each other, and the net produce of the whole from the gross produce of the whole. 2. An account of all monies expended upon repairing, extending, building anew, and rebuilding farm-houses, out-houses, and all other appurtenances to farm-houses and farm-offices, upon the said estates, in the years 1811, 1812, 1813, and 1814. 3. An account of the number of agents and bailiffs employed in managing the said estates, with their several names and salaries."

Mr. *Croker* said, that the estates had been exceedingly well managed, and it could not have been the interest of the receivers that they should be otherwise, as the expenses incurred on the lands could not be the means of putting a single farthing into their pockets. He could not say that they had been regulated with the same economy with which a private gentleman might manage his own estate; but within the last ten years their produce had been doubled. In the year 1805 the rental of them was 18,000*l.* and in the last year it was somewhere about 40,000*l.* This increase had been effected in such a way, that it had not been oppressive to the tenants. There were no bad debts in consequence of the advanced rents, no runaway tenants, but on the contrary, those living on the estates were in a state of comfort, if not of affluence. The papers called for would give the House very imperfect information with respect to the general state of the affairs of the Hospital, but they might supply the hon. baronet with the means of more satisfactorily investigating the subject during the recess; and therefore he should not resist the motion.

Sir *M. W. Ridley* understood the estates were at present managed by two receivers, who were paid 1,500*l.* per annum. He thought one person would be sufficient to look to them, and that he might be paid with a smaller salary. There were also a number of agents and under-agents, who might be dispensed with. Other retrenchments he thought might be made. At all events the accounts ought to be produced, as they would be satisfactory to the House, and were but what they had a right to demand.

Mr. *Croker* stated the receivers to be paid by a per-centage on what they collected, and it was thought two would be better than one, as each might be supposed in some measure to be a check on the other.

Mr. *Baring* thought it was impossible the estates could be managed so economically as they ought to be, and therefore was of opinion it might be better to sell them, and place the money in the funds.

Mr. *Long* said the question whether or not it would be wise to sell them, and place the money in the funds, was not now before the House. This, however, they had before them—that in 1805, they produced but 18,000*l.* and that in the last year they gave 40,000*l.* Had they been sold ten years ago, he feared the result would have been less favourable for the Hospital. He had no objection to the production of the papers. He was confident the whole of the directors would be willing to give the House all possible information on the subject; and he doubted not, on an inquiry being made, every thing would be found perfectly satisfactory.

The motion was then put and carried.

STAMP-DUTIES—NEWSPAPERS.] The House having resolved itself into a Committee of Ways and Means,

The *Chancellor of the Exchequer* rose to propose the schedule of Stamp-duties of which he had given notice. He observed, that the subjects on which the additional Stamp-duties were to be imposed, were law duties and newspapers. The first of these subjects, the taxation of law proceedings, was one on which too much attention could not be bestowed. He had submitted the present schedule to several very experienced persons in the profession of the law; and since the schedule had been before produced, there were many alterations made in it which would render it less objectionable. One alteration was, that the increased duties were not made progressive on the size of the instrument stamped, but that a certain increase of duty on each proceeding should take place. An objection also had been started against the schedule, which was, that the increase of the duties would have an unequal effect upon the proceedings in small courts. This also had been remedied by a diminished scale of duties applied to the small courts. Though the taxes on law proceedings were on general grounds objectionable, yet when it was considered how small a proportion of the expenses in a law-suit consisted of law duties, the objections would not appear so great as at first might be imagined. In a suit in which the solicitor's bill was 40*l.*, the amount of the old law duties, together with the new, was 40*s.* In another, in which the expense was 35*l.*, the Stamp-duties were 3*l.* There was not, therefore, the same objection to these duties which at first sight seemed to attach to them.—As to the duties on newspapers, the first idea which he had was to lay an additional tax of 1*d.* on each paper; but as it was represented that this tax would have the most disadvantageous effect upon the circulation of the papers, he had imagined the increase of the duty on advertisements in proportion to their length; but though this seemed a fair proposition, it was strongly objected to by the editors of the newspapers, and an additional Stamp-duty of one halfpenny on each paper, and 6*d.* on each advertisement was preferred by the majority of the persons occupied in this line. To protect the public from an increase of the price of the papers beyond the amount of the tax, an additional discount would be allowed to those who only increased the price of their paper from sixpence-halfpenny to seven-pence, which discount would not be allowed to those who increased the price to a greater sum. Although the proprietors of the London papers were not equally willing to coincide in the arrangement which he had made, he was convinced that no duty would be more cheerfully paid by the public than an increase of one halfpenny on the price of a newspaper. The sale of these publications depending almost wholly on the situation of public affairs, and as at the present time, and probably for some years to come, a laudable curiosity would be directed to the events which were passing, and which exceeded in importance any which for ages before had occurred, the additional price of one halfpenny on the publications through which the public derived their information would not be grudged by the purchasers.

Sir *J. Newport* felt a radical objection to the tax upon newspapers; it was of the utmost importance to the public that this channel of general information should be as free as possible to the community at large; and as the proposition of the right hon. gentleman was likely to limit that circulation, he thought it highly objectionable. As to the consolation which the right hon. gentleman gave the public, that the same melancholy inducement for political intelligence was still likely to be protracted, so far from thinking this a proper ground of support to a measure like the present, he thought it the very reason why a different policy ought to be pursued; because, at such times of general pressure to the community, every facility of instruction ought to be freely admitted. Because great calamity was likely to open upon the world, were the people to be driven to endure the still greater weight of additional taxation? The reverse was surely the true view of the subject. Nothing could be more unfair, when the political situation of the country rendered it alive to passing events, than that the Chancellor of the Exchequer should come forward and say—"We will make you pay for intelligence, now that we see your necessities compel you, from the very operation of their pressure, to be more anxious for its reception." Now, he (sir John Newport) would contend that, so far from this position being the correct one, the direct contrary was the fact, and that public curiosity had a right to be with more facility indulged, when the state of the country afforded sufficient reason for its excitement. In proportion to the magnitude of the concerns of Great Britain, the circulation of her newspapers appeared smaller than those of other countries. Look to America, for instance, and see how far more extended was their circulation; and let them consider the consequences of drying up those sources of cheap and general information. He was not aware that the mode by which the right hon. gentleman sought to guard the public against ultimately paying more than the additional halfpenny on each paper would be at all effectual, or that it would remove his objections to the tax. It would, in the end, he was sure, prove as unproductive as all such expedients of gratuitous taxation had ever been found. Besides, the right hon. gentleman could not be ignorant that if the press were thus called into action against the pressure of a measure like the present, the effect would be, that although it would be unlikely great public measures would be in future exposed to misrepresentation, yet they would be open to a sort of high colouring, perhaps not exactly of that kind which it would suit the right hon. gentleman to encounter. On the whole, it was one of the last taxes which the right hon. gentleman ought under any circumstances to have proposed.

Sir *M. W. Ridley* said, he did not object to the tax on newspapers on account of the effect it would have upon the proprietors; but because it would diminish the circulation of information, he should oppose that part of the Resolution. As to the addition of sixpence on advertisements, he did not object to it. He understood the charge for the insertion of advertisements in the London papers was very great, and the delay considerable; for though a laudable practice existed at the offices of inserting advertisements by rotation, yet a practice as much to be reprobated existed, that advertisements were inserted out of their rotation on the payment of an additional sum. At the last general election, when he had had occasion to advertise a circular to the freemen of the town which he represented, resident in London, he had selected four London papers for that purpose, and was surprised to find the expense for the insersion of the advertisement twice in four papers. He was informed, on examining the accounts, that it was the custom to charge twice as much for advertisements at the time of a general election; a rule which did not exist, he believed, with the country papers. It was also remarkable, that there was a difference in these charges. The papers were two evening and two morning papers—the Morning Chronicle, the Morning Post, the Globe, and the Courier; in the Morning Chronicle he was charged 10 guineas, in the Morning Post 12 guineas, in the Globe 12 guineas, and in the Courier 16 guineas. This variety seemed singular to him, and it was not the less singular that those papers who adhered to the principles of the Chancellor of the Exchequer charged most for their advertisements. As the duty bore so small a proportion to the charge on advertisements, he should not oppose it.

Sir *C. Monck* opposed the tax on newspapers, and thought there could not be a time more ill chosen to deny the public information on the state of public events in which they were so deeply interested.

The Resolution imposing 3*s.* 6*d.* on every advertisement was agreed to; the House resumed, and the Report was ordered to be received to-morrow.

HOUSE OF LORDS.

Thursday, June 8.

SLAVE TRADE.] Lord *Grenville* rose and said:—My Lords; before the commencement of the important discussion in which your lordships are about to engage, I wish to call the attention of your lordships to a subject in which the honour of this country seems to me to be most deeply concerned. By an article of the Treaty of Vienna, Louis 18 is invited to accede to the Treaty. I do not wish to throw any doubts whatever on the propriety of that article, nor do I mean to advert to any of the other circumstances which must of necessity form a part of any concert between the Allied Powers and that Monarch; but your lordships know that both this and the other House of Parliament, previously to the signature of the Treaty of Peace last year, expressed their wish that the restoration of the French colonies should be accompanied by an engagement on the part of France, immediately and totally to abolish the Slave-trade. Such was the wish of Parliament and of the country at that time; and up to this moment all that has been done during the negociations at Vienna and at Paris, whatever that may be, has been done in partial fulfilment of the desire so expressed. Your lordships are also aware, that on the late change of Government in France, the person who is *de facto* at the head of that Government went beyond the engagements into which France had entered with us on this subject; and, as one of the first acts of his Government, issued a decree for the instant and complete abolition of the Slave-trade. My lords, disapproving, as I do, of the character and of the whole tenour of the life of that person, I should be very sorry to withhold praise from so great an act of humanity. Whether done by him or by any other person, it is entitled to high and unqualified commendation. It forms, in this instance, a striking contrast to the general conduct of the individual in question. The Slave-trade is now altogether abolished in France. If, my lords, the result of the operations which are about to commence should occasion another change in the French Government—if the cause which will have my best wishes should eventually triumph, I do trust that this country will never participate in any contracts by which it may be proposed to revive that atrocious traffic. I trust that it will be clearly seen by those to whom the honour of the British empire is confided, that it is their sacred and imperative duty to refuse any acquiescence in such engagements. I do not ask what are the measures that have been adopted on this subject, nor do I ask what it is likely will be the means resorted to to give effect to our own wishes, and hereafter to establish a community of feeling with respect to it. But I hope it will be thoroughly understood, that this country never can consent to execute a treaty of concert with Louis 18, without distinctly declaring, that in the event of a favourable issue to the contest (if Providence should be so pleased), no measures should be taken to overthrow the great work which has been established in France, and which, by whatever hands accomplished, is pregnant with nothing but good. My lords, in expressing this expectation, I do not conceive that I am doing any thing at all calculated to embarrass his Majesty's Government. It was uniformly declared by Louis 18, and I implicitly subscribe to the sincerity of the declaration, that if he opposed any obstacle to the completion of the wishes of this country for a total and an immediate abolition of the Slave-trade, it was in contradiction to his own feelings and to his own conviction of right and justice, and was only in deference to the sense of the people. This, it now appears, was the case. It seems, that on this, as well as on other subjects, his Majesty's own correct judgment was perverted by the advice of those about him. That measure was represented to him as likely to prejudice his interests in France, which the person who is contending with him for the crown of that kingdom accomplished the very first moment after his assumption of the royal authority, and at a period when, as all his other actions unequivocally show, he felt it necessary to conciliate the nation by every means in his power. Under these circumstances, therefore, my lords, his Majesty's Government can have no difficulty in making to Louis 18 the proposition which I have stated; but, let it be difficult or not difficult, it is their duty to make and to abide by that proposition. If they do not, they will cover with stains the character of Great Britain. I have thought it right thus to call your lordships' attention to this interesting topic; and in the confidence that his Majesty's Government will not fail to adopt the line of proceeding which their duty seems to me to prescribe to them, I abstain from making any further observations upon it.

The Earl of *Liverpool* said:—I shall trouble your lordships with only a few words on what has fallen from the noble baron. I entirely concur in the noble lord's general statement, that it is the duty of his Majesty's Government to avail themselves of every means in their power to accomplish that object, which they feel as strongly as the noble baron, or as any other person existing, will be conducive to the universal happiness of the world. Without entering into further particulars, I have no difficulty in saying, that from the first moment at which it could be taken into consideration, this subject has occupied the earnest and anxious attention of the Prince Regent's servants, and that measures have already been adopted with a view to give full effect to the wishes of the noble baron, of Parliament, and of the country. We have the strongest reason to hope that our efforts on this subject will be successful. This, at least, I may say, without committing his Majesty's Government to any declaration which future occurrences might possibly render imprudent, (and I am persuaded that no one can be more desirous than the noble baron that I should not so commit them), that no exertion will be wanting on their part to complete this good work, generally as far as lies in their power, and particularly as it respects its accomplishment in France; and that no treaty will be concluded with the King of France, either by Great Britain singly, or by Great Britain in conjunction with the Allies, without a positive effort to that effect. My lords, when the proper time shall arrive, his Majesty's ministers will be perfectly prepared to render to your lordships the fullest possible explanation of their conduct on this important subject.

ROMAN CATHOLIC QUESTION.] The Duke of Sussex presented a Petition from the county of Lancaster, in favour of the Catholic Claims, and observed that it was left to his discretion, whether he would present it or not. He felt it his duty to present it to their lordships, at the same time reserving a discretion to himself as to the ground upon which the Petition went, which was that of right. Earl Stanhope said, he should vote for the Petition, as he conceived that relief in all such cases was a matter of right, and not of favour. The Earl of Donoughmore presented Petitions from Galway, and other parts of Ireland, on the same subject. His lordship also presented one from the Roman Catholics of Great Britain, which he stated was put into his hands, he knew not why. It was respectfully worded, and respectably signed. He was not sufficiently acquainted with the different parts from which the signatures were obtained, to speak positively as to their general importance, but many of the names were highly respectable. The Petitions were all ordered to lie on the table.

The order of the day for summoning their lordships being read,

The Earl of *Donoughmore* rose, for the purpose of submitting to the House the motion of which he had given notice, with respect to the Catholic Claims. Before he entered on the subject, and stated to their lordships what the question for their consideration was, he thought it would be necessary for him distinctly to premise what the question was not, to which he meant to call their lordships' attention. He was quite unfettered and uninfluenced, in introducing this question, by any discussions that might have taken place out of Parliament—nor was he tied down by any directions, as to the course that ought to be pursued. He was a party to no specific arrangements that would tend to circumscribe or interfere with the deliberate judgment of the House. He had not embodied, in any distinct resolutions, what he might be desirous their lordships should do on this subject—much less had he reduced any propositions into the shape of a legislative enactment. In what he had just said, he desired not to be misunderstood as expressing any opinion on the course adopted, or intended to have been adopted, in another place. The Resolutions which were printed and circulated after the late discussion, had probably imparted instruction on this important question, which was most necessary and most important. But, as he did not intend to animadvert on the new mode of bringing this great subject forward, he certainly felt that he had an undoubted right to declare against any thing that might be alleged in disapproval of the line of conduct which he had himself adopted on this occasion.

Having thus sufficiently guarded himself against misrepresentation with respect to the course he deemed it necessary to pursue, he should next proceed to observe, that for nothing but inquiry—for inquiry only—was he now about to move. That their lordships should take into immediate consideration the state of his Majesty's Catholic subjects of Great Britain and Ireland, was the full extent of what he meant to require from the House. He hoped that he should be successful—if, indeed, any success ever attended his humble efforts in support of the great cause which he would, that day, again place before their lordships. For the clear and satisfactory consideration of this subject, it would be fitting, that he should divide it into distinct and separate heads. In the first place, he would apply himself to the causes which called for the immediate consideration of the question; and, in his opinion, every principle of justice and of policy, required this proceeding. He should, secondly, advert to the relief, from existing disabilities, that ought to be extended to the Catholics—who, he believed it would not be denied, had conducted themselves in the most satisfactory manner for the last twenty years; and he should state to the House the propositions he should deem it necessary to submit, if inquiry were agreed to, on their behalf. In the third place, he should deliver his opinion on those additional securities, which had been contended for, as indispensable, by some very respectable members of both Houses of Parliament—and the consequent arrangements, with respect to the Catholic Church, which were to be found in the measure of 1813. And, lastly, he should briefly reply to the argument that had been so often and so triumphantly urged against the immediate consideration of this subject; namely, whether, in the present dissatisfied, and, as it was alleged to be, inflamed state of the Catholic body, it would be prudent to entertain the question. From this division of the subject, his lordship hoped it would not be inferred, that he intended to enter into it at any great length. Professing, as he did, that inquiry alone was his object, such a course would be quite unnecessary. He felt, however, that he would not be justified in calling their lordships to a discussion on a subject of such immense importance, without putting the House in possession,—by as shortly compressed a statement as possible,—of what his own view of the question was, and of those great objects which he wished to effectuate by the proposed inquiry.

With respect to the first head—the causes which peculiarly demanded inquiry—those causes were so very numerous, that he knew not with which of them he should begin. In the first place, a great body of the people of Ireland were deprived of the enjoyment of many rights; they were debarred from various political offices, of great weight and respect. It had been argued, that great danger would result to the State, if the Catholics were admitted to the enjoyment of those situations. This was directly denied by them. They came forward, and challenged inquiry. They offered to prove, before Parliament, that their fidelity to the State had been firm and unshaken. These grievances, great as they were, became still greater, when they considered the vast number of persons who suffered by them. In this country many individuals were oppressed by the system: in Ireland four-fifths of the entire population were affected by it. If such grievances as these were permitted to exist—if they were suffered to remain without inquiry, he conceived it would be most unjust, most impolitic. But the system pursued with respect to the Catholics, was different in different parts of the united kingdom. In Scotland, the Catholics had a capability of holding, as he believed, every office, civil and military, without any reference to religious opinion. In this country, the Catholics enjoyed a very small addition indeed to what was granted by the statute of 1791. In Ireland, they were permitted to exercise the elective franchise, and they were in possession of all those liberal accessions of privilege, which the Act of 1793 extended to them. Was such an anomalous state of things, he would ask, worthy to continue in existence? Their lordships must not think that he wished to give to the Irish Catholics more than he would demand for those who inhabited other parts of the United Kingdom; but he could see no just reason for not putting them on the same footing with their Northern neighbours. Was there any thing in their conduct or demeanour, that entitled them to greater relief than the Catholics of Ireland? This was a monstrous anomaly, and called for the interference of the Legislature. All that he asked of their lordships was, to inquire fully into the question, that it might be promptly and definitively set at rest—that all the inhabitants of the United Kingdom should be admitted to the privileges of the Constitution—that something uniform should be done, by which the strength of the empire would be improved and consolidated. What, he demanded, had the Roman Catholics done, to deserve the punishment which was inflicted on them? What had they done, that rendered it necessary to impose on them those forfeitures, which the laws awarded to convicted felons? Was it not right for their lordships to come forward, and state, in a committee, where the subject could be best inquired into, if those laws were to be kept up, what the Catholics had done to deserve it, or what their lordships were afraid they would do, at some future time, which induced them to continue such harsh and oppressive measures?

There was another reason for inquiry, which he conceived to be full as strong as that he had adduced. It appeared to him, that the continuance of those restrictive measures, was contrary to the principles of the Union. He could, perhaps, speak on this point as accurately as most noble lords—perhaps more strongly and more accurately than many. He was a friend to the Union, purely and entirely, because he thought it would give to the Roman Catholics those franchises, and that extension of privileges, which, he believed, they would not have received from their own Parliament. By a Parliamentary Union, he hoped they would have recovered their rights—for they had applied, in vain, to the Irish Parliament. That Parliament was so constituted, that it always expressed itself against the Catholic claims. He, and others who wished the question well, considered the Union as the only mode by which it could be brought to a successful termination. He did not mean to say, that any direct promise was made on the subject; but certainly a species of engagement appeared to have been entered into at the period of the Union. If this feeling had not been entertained by others, he might have imagined, that what was said to him on the subject, had been misunderstood. But having taken a very active part, to induce others to adopt the same opinion that he entertained on the subject of the Union—having prevailed on the Roman Catholics of the great city and county of Cork to express themselves in favour of that measure, by using the same statement to them, which had been made to him, he did conceive that the Catholics would have a right to complain, if their cause was not carried, since, with a view to its success, they had conceded the Union. They would, he contended, have a strong ground of complaint, if, having supported the Union, for the purpose of recovering their privileges, those rights were withheld from them, by the prospect of which they had been induced to act as they had done. He did not ask for any thing specifically for the Catholics, but he demanded inquiry; and he had a right to ask it, in consequence of the engagement which was entered into with them at the time of the Union; and, to prove that they conceived such an engagement to have been made, it was merely necessary for them to advert to their feelings. The measure of the Union could not have been carried by any other mode: it was carried by the Roman Catholics—not by bribery or corruption—not by the private acts of any individual, but by the fair and upright act of the Catholics themselves. "Give us," said the Government, "your assistance to alter the constitution of Parliament, and our first act, under the new system, will be, to open to you a fair opportunity for the recovery of your rights." The Union, therefore, formed a strong claim on their lordships. But there was another point worthy of their attention, which was derived from what had passed recently in that House. When he said recently, he alluded to a motion made by a noble marquis (Wellesley) about three years since. The discussion created great satisfaction at the time; the opinion of their lordships on this question had not since been expressed; and he believed nothing had occurred to alter the feeling of their lordships' minds with respect to it. That motion, he need scarcely remind the House, was all but carried by a majority; one hundred and twenty-five noble lords were in favour of it; one hundred and twenty-six were opposed to it; amongst the latter was a reverend prelate, who did not feel any unwillingness to the principle of considering the question, but who did not wish the House to pledge itself to a consideration then. But for this the numbers would have been equal; and, therefore, he had a right to say, that, on the very last occasion when the question was discussed in that House, it was carried by every thing but a majority.

He now came to the second point—namely, the claims of the Roman Catholics. And here he would state, what he meant to propose in their behalf. He should call for their complete and perfect restoration to every privilege that was now withheld from them. He would fix them precisely in the same situation as all his Majesty's other subjects were placed in—saving what related to the ecclesiastical government. In every respect but this, if their lordships went into a committee, he would propose to give the Catholics a perfect equality with their fellow-subjects. By the Act of 1793, the Roman Catholics gained much. That Act, which was said to be the work of the then Secretary of State, was most valuable. Ireland never before received such a parliamentary boon—it proceeded on the best and wisest principles—it removed many of the grievances by which at that time the Roman Catholics were afflicted. That Act, which gave to them so many important privileges, formed a title, by which they now claimed all those rights and liberties of which they were at present deprived. Had their lordships, at the time they granted them those privileges which the Act of 1793 conferred, any doubt of their fidelity? Did any fear arise in their minds, when they conceded those rights? What did they then feel? Did they not believe, that they were granting those privileges to loyal and well-affected subjects—to persons whose religion contained nothing that was incompatible with the duties of loyal and well-affected subjects? They gave the Catholics, at that period, privileges, which if they were, in fact, subject to that influence which some noble lords feared, ought not to have been extended to them. The oath imposed by the Act of 1793, he considered a sufficient security. If any thing were omitted in the formation of that oath, the deficiency was not occasioned by a want of jealousy in the learned gentlemen who drew it up. He gave the noble lord opposite, who was then in Ireland, credit for having had nothing to do with that shameful oath—that disgraceful collection of shocking abominations—which could not be heard without horror and detestation. It did not originate with him. It was the rancorous production of some old men, who could not be controlled by the power of the Irish government. That oath was long enough. There was nothing that a man could do, or say, or think, that was not provided for in it. The Roman Catholics accepted that oath

—for twenty-one years they had sworn it. There was nothing that could be said against that unjustly defamed class of their fellow-subjects, which that oath had not sufficiently disavowed for twenty-one years. That oath was considered a sufficient security when the elective franchise was granted to the Catholics. Under that oath they got more than was ever before given by any government to an excluded set of men. The Government of 1793 conceived that oath a perfect security for every thing they could give. He recollected, at that time, many members of the House of Commons wished to give the Roman Catholics every privilege (except those connected with the ecclesiastical establishment) under the sanction of that oath. Amongst those persons was a noble friend of his, then in the Irish House of Commons, and a right hon. friend (Mr. Grattan) who had at present a seat in the other House. He was so perfectly satisfied with the security of the oath, that, except ecclesiastical privileges, he was ready, under it, to grant them every thing. He (lord D.) was, at the period to which he alluded, ready to concede every thing to the Catholics, under the security of the oath—and he was equally, or rather he was more ready, to do so now, because he had a more extended experience of their conduct. He called their lordships recollection back to this Act of 1793, as giving to the Catholics not only all those privileges which they at present possessed, but also as holding out to them the best-founded expectation that they would ultimately receive what was withheld from them—and he knew of no good reason against now fulfilling that expectation. Every person who was aware of the impoverished state of Ireland, before the repeal of many of those obnoxious laws, and contrasted it with the flourishing state of things which had arisen, in proportion as they were removed, would at once perceive the wisdom and policy of repealing those that remained. Any person who marked the energy which, for the last twenty years, had distinguished his countrymen—who then began to feel the spirit of freemen, and to walk erect—would perceive the propriety of granting them their rights—of making them more respectable members of the community—of restoring to the empire their full and undivided strength—their best and most valuable energies—and, by one act of generosity and of justice, making them, as it were, new men. The Roman Catholics had a right, from the gradual repeal of those laws, to expect that the time was come when those which remained should be erased from the Statute Book. He wanted to know why a man, who was intrusted with the execution of the laws, as a magistrate, should be excluded from the situation of a judge? He knew of no principle of the Constitution by which the one privilege might be enjoyed by a person who was incapacitated to exercise the other. On this point he had nothing further to say. If their lordships went into a committee, he should there propose to restore to the Catholics every thing (with the exception he had before stated), under the present oath. He could not conceive why the line of 1793 was never to be overstepped. Those who had been trusted so far, ought, in his opinion, to be considered as completely trustworthy.

He now came to the third head—the additional securities which were demanded. As he conceived that no additional securities were necessary, he need scarcely inform their lordships, that the clauses added to the Bill of 1813 appeared to him objectionable—and he stated his objections to those who were concerned in framing them. He declared his opinion to be, that such an arrangement would not be satisfactory to the people of Ireland. He even went farther, and stated, that it could not, and, in his opinion, it ought not to be satisfactory. One of the bugbears against which those clauses were directed, was the influence of the Pope. But could any man really believe that the Pope had it in his power to do mischief in the United Kingdom? There was not any point of communication with him, nor ever had been, from which danger could fairly be apprehended. Did not their lordships know very well, that there was scarcely any communication whatever between the Catholic Church of Ireland, and the See of Rome? The only communication was for the purpose of investing Bishops; and, previous to that ceremony, the individual was able to perform every duty, except that of consecrating other bishops. He could not perceive on what just principles those clauses were introduced. If the fears which they indicated were well founded, instead of extending the privileges of the Catholics, the Legislature ought to take back what they had before granted. But it was impossible that so idle a thought could enter the head of a sober man, as that a shadow of danger from the influence of the Pope had existed during the last twenty years. Then came the dread lest the Protestant Church and the Protestant succession should be destroyed. Who were in array against them? Perhaps it would be answered, the Catholic bishops, and the Catholic pope. But, during a long war, could a single instance be adduced in which a Catholic bishop had misconducted himself? Were they not, on the contrary, always endeavouring to discharge their sacred functions to the best of their ability? He objected to such a principle of proceeding, because it was contrary to justice. When those additional securities were called for, it was almost saying,—"We will give the laity nothing, unless the clergy fall down before us; we will degrade the Church, for the purpose of giving liberty to the people." With respect to the wish entertained by some, for supporting the Catholic Clergy at the expense of the State, he should merely observe, that they desired to remain as they were. They wanted nothing from the Crown—and they did not conceive that the Crown had a right to extort any thing from them. On the whole, he decidedly disapproved of those additional securities, because they tended to throw unfounded imputations upon a most worthy and respectable set of people. He knew them well—he had lived amongst them in quiet and in turbulent times—and this he would say, that, as a magistrate, he had derived more effectual assistance from the Catholic clergy, than from any other class of men whatever. He, therefore, never could assent to any thing that appeared to cast a slur upon them.

He now came to the last division of his subject. And he conceived it was the duty of the House, without reference to any thing that took place out of doors, to inquire and to legislate, as, in their wisdom, they might think fit. He, as much as any other man, objected to any thing that looked like dictation. He might here observe, that those persons who took the lead in the affairs of the Catholic body were men perfectly conversant with the laws of their country—extremely eloquent —and possessing mental powers of the most estimable kind. The assistance of those individuals would, in his opinion, be extremely useful in framing a measure which was so nearly connected with their best interests. He stated this now, because he always entertained that opinion; and he trusted, that, in any communication he ever had with the Catholic body, he had shown himself a decided enemy to dictation. It had been said, that the great object of those persons was to inflame the Catholic mind. But was nothing done, on the other side, to create inflammation? Had the Government press done nothing to offend the Catholic population of Ireland? Had not the public money been paid for the publication of libels against the Roman Catholics? Let any person read the Dublin papers in the pay of Government, and he would see the truth of this statement. When he spoke of the Government papers, he thought it right to observe, that he entertained a high respect for some of the persons by whom they were conducted. But the publication of those libels on the Roman Catholics was not their act—it was the act of the Government itself. Persons who were in the habit of receiving a stipend from Government, would not, of course, be very ready to put into their leading articles any matter that would not please those by whom they were employed; therefore, though it was true that great irritation prevailed on this subject, it was no less true that that irritation existed on both sides. By granting the claims of the Catholics, however, by removing the cause of complaint, all the irritation which created so much bad feeling in the country, would at once be done away. He had always been very earnest on this question—but he had no personal interest whatever, connected with the concessions. As an individual, he should not be served in any manner by the emancipation of the Catholics. He still, however, persevered, because he loved the Catholics, and had been connected with their cause from the commencement of his parliamentary life. He persevered, because the concession of the Catholic claims would make Ireland strong—he meant strong for the support of this country. However warmly he might have spoken, at any time, in bringing this subject forward, he thanked God he bore enmity to no man; and if he had, either in that House or elsewhere, thrown out any thing that might have given offence, he could now truly and conscientiously declare, that it was not the result of premeditation. [Hear, hear!] His lordship then, in a very energetic strain, enforced the propriety of an immediate consideration of this important subject by the Legislature, and concluded by moving, "That this House will take into its immediate consideration, in a committee of the whole House, the present state of his Majesty's Roman Catholic subjects of Great Britain and Ireland, with reference to the laws by which they still continue to be aggrieved."

The Earl of *Buckinghamshire* said, he should not feel it necessary to trespass long upon their lordships attention on the present occasion. The question before them had always resolved itself, in his mind, into two points, whether the Legislature should go the length of granting complete emancipation to the Catholics, or whether it should abide by the law as now existing. He was perfectly ready to concur with the noble lord in opinion, that the Act of 1793 was where a stand ought to be made: because, by that Act every thing was given to the Catholics which they could enjoy under a Protestant government; every thing, indeed, that was essential to their prosperity; and, because the Catholics could enjoy all the privileges which we could give them, without danger to the constitution in Church or State. The noble lord had said a great deal about the oath prescribed by that Act, which he described as full of abominations, and therefore paid him (lord Buckinghamshire) the compliment of supposing it to have been enacted against his consent; but he must beg leave most distinctly to disclaim the compliment. The oath was framed upon a declaration made by the Catholics themselves, and they proposed to give that security, provided they were permitted to enjoy the privileges they claimed. It should be remembered also, that what they then claimed was much less than what they obtained. But there was another oath, the Oath of Supremacy, which it was necessary the Catholics should take before they could safely be admitted into the enjoyment of all those privileges for which the noble lord so strongly contended: foreign supremacy, however, was an immutable principle of the Catholic religion, and hence the necessity of imposing that oath. With respect to the securities, if what the Catholics asked could be granted, there would be no use for those securities. The idea of securities, connected with such privileges as were demanded by the Catholics, always appeared to him as great an inconsistency as strengthening the walls of a house in order to secure it against explosion from a mine. He did not think that any securities would lessen the danger, and especially when he remembered the sentiments expressed by the Catholic bishops of Ireland, upon the provisions of the Bill that was brought in during the session of 1812. The Union had also been alluded to by the noble lord, but certainly he never considered that legislative measure as one that pledged this country to a concession of all that the Catholics now claimed; if he had, he should have opposed it, as strongly as he had supported it. The only pledge which it contained was one of conciliation, and he would put it to the candour of the noble lord, whether that pledge had not been amply redeemed. Upon the whole, he saw no sufficient ground for going into a committee at the present moment, and therefore he felt himself compelled to oppose the motion.

Lord *De Dunstanville* conceived, that going into a committee would be illusive and nugatory, and tending to excite hopes in the minds of the Catholics which it was not possible afterwards to fulfil. It would be a tacit promise which the House would not eventually perform.

Lord *Grenville* said, that his opinions upon the subject of the Catholic claims were too well known, and had been too often delivered before their lordships, to render it necessary for him to travel over the same ground on the present occasion. In the little that he should now say, therefore, in support of the vote he intended to give, he should confine himself strictly to whatever might be considered as new matter in the actual circumstances of the Catholics of Ireland, or in the present times. His noble friend had distinctly disclaimed any connexion between his motion and certain Resolutions which they had heard of in another place; and he (lord G.) begged leave as distinctly, and as positively, to disclaim any similar connexion with respect to his vote that night. As long as he had the honour of holding a seat in the British Parliament, he should consider it his first and paramount duty to resist with firmness, nay, with indignation, any attempt to dictate to the wisdom and discretion of the Legislature. Besides, those Resolutions went to an extent from which his mind turned with abhorrence, that of shaking the Protestant establishments of this country to their foundation; and had they come before their lordships in the shape, either as resolutions, or as digested into a bill, no consideration upon earth should have induced him to give them his support. [Hear, hear!] In voting, however, for the committee proposed by his noble friend, his object would be, what it always had been, to give the subject that grave and mature deliberation, which he had long thought it necessary to give, and which every year had rendered more imperiously so. With respect to the law of 1793, upon which his noble friend had said, he meant to make his stand, he had always been of opinion that that law had been framed in a spirit of liberal conciliation, and with a determined desire on the part of the Government to extend to every class of the subjects of these realms, a certain portion of civil freedom. No one took a more active part in that measure than the individual who had now the honour of addressing their lordships; and therefore he could not be suspected of a wish to depreciate its value or character, when he said that it rested upon a principle perfectly anomalous. It rested on the avowed desire to give to the Roman Catholics all that could be given them, consistently with the state of the times; and when he recollected all the difficulties of that situation, he had never seen any reason to feel other than unmingled satisfaction at the part he bore in the success of the measure. But he did not then think, nor had he ever since thought, that the subject was closed, or that it rested upon any general principles which would preclude any further consideration of it. Even if he had so thought at that time, his opinion would necessarily have referred to Ireland as an independent and separate country, and not to Ireland as she now happily was, forming an integral part of the empire. On those grounds, therefore, he conceived that the measure of 1793 was one which could not, by any possibility, rest in its present situation. It had a necessary tendency to force itself upon the attention of the Legislature, and it must infallibly produce dissention and discontent, until Parliament consented to go into a committee and inquired into all the subjects connected with that vast and important question of Catholic concession, not shortly and unsatisfactorily, by sweeping resolutions, but gravely and solemnly, as became the infinite importance of the measure. The longer that inquiry was retarded, the more arduous, the more doubtful, and the more difficult it would become. The question of securities, upon which something had been said, would more properly come under discussion in that committee, and therefore he would not anticipate it now. He, for one, would carry his mind into that committee unprejudiced by any thing that had passed, and would endeavour to view the matter as, in his opinion, it must be viewed, not through the medium of any fixed or general principles, but in reference to the varying dispositions and tempers of the people of England and Ireland. He earnestly entreated their lordships to lay entirely out of their minds all recollection of whatever had been improperly said or improperly done, by the Catholics themselves or their advisers. The measure, if successful, was to be adopted, not to gratify this or that individual, or any particular class of people, but to determine whether it could make more contented, more free, and therefore more happy because more free, a great body of our fellow-citizens; they were to consider whether they could safely give that portion of civil freedom to the Catholics of Ireland, which hitherto it had been thought they could not; whether it was not the indispensable duty of the Legislature not to rest upon general principles, upon dates, and epochs, but to accompany the progress of light, of education, and of civilization in that country, deriving from them improved and increased means of diffusing happiness, and by extending happiness, securing in return attachment and fidelity to the welfare of the State. Those were the grounds upon which the measure was to be deliberated, and therefore, even though he were convinced that a few angry individuals spoke the sense of the whole nation, and even if he believed that four or five millions of Catholics could be so unreasonable as to reject a boon and a benefit from the hands of the Legislature, because not offered in the terms and in the manner they wished, he should still bid their lordships do what was right, consult the plain path of their duty, and provide for the happiness of the people. It was upon that view of the subject, and upon those principles that he had always supported the measure; and on the same principles, and from the same view of what ought to be done, he should now vote for the motion of his noble friend.

The Earl of *Liverpool* said, that his opinion upon this question was already known, and he assured their lordships that that opinion had not undergone any change whatever; but he did not think it necessary on this occasion to enter into the merits of that question. He opposed the motion before the House, because he did not conceive that the House could at present resolve into the proposed committee with any view to a satisfactory result; but he had another objection to this motion, namely, that this was not a subject upon which any inquiry could be deemed necessary. For this was not a question involving any uncertainty as to facts upon which investigation was required. The House was already aware of all the advantages and all the inconveniencies belonging to the present system; for that system had been too frequently discussed to allow any ignorance or doubt to remain upon that subject. Whether, then, it was right or wrong to make the concessions required by the Catholics, the House was quite ripe to determine without any farther inquiry. That the concessions required would involve a considerable alteration in the constitution of the country, could not be disputed, and he deprecated the idea of proposing that alteration —of sounding the alarm which such a proposition must produce, without any statement of the remedy meant to be applied. He agreed with the noble mover, that it would not be advisable to excite any expectation which it was not intended to gratify. With regard to what had passed in Ireland upon this subject, he could not pretend to be as accurately informed as the noble mover; for he was not a member of the government at the period referred to by the noble lord. But their lordships had the record of what passed in another place upon the discussion of the Union, and upon reference to that record it would be seen, that according to the opinion of the individual who took a lead in that discussion, the Catholic question would be left open for the consideration of Parliament, namely, that if the Union were adopted, Parliament would find it safer to concede to the wishes of the Catholics, if it should think that concession expedient, or to resist such concession if it thought contrary. It would indeed be recollected, that that point was peculiarly laboured by the individual alluded to. From the discussion referred to, then, it could not be inferred, that any pledge or promise was held out to the Catholics by the proceedings of Parliament. But without adverting further to those proceedings, he felt it his duty to withstand the present motion, because he was unwilling to hold out any expectation to the Catholic body which was likely to be disappointed; and he was the more disposed to resist this motion, from the indefinite form in which it was presented to the House. He should, therefore, prefer the proposition of some specific measure, as in the year 1793, in order that the question might be brought before the House in a distinct, intelligible shape. On this ground, then, he should frankly say, that if he were even friendly to the Catholic cause, he should object to the course of proceeding proposed by the noble mover; for he should desire to have at once laid before their lordships a precise statement of the nature and extent of the evil alleged to exist, as well as of the nature and extent of the remedy which it was proposed to substitute. Although he had stated thus much, the noble lord said, that it was not his intention at present to enter at large into the merits of this great question, but should reserve his observations for a future and more convenient opportunity. He was, however, on this occasion free to say that, as the noble mover admitted, that the Crown was essentially Protestant, and connected with a Protestant ecclesiastical establishment, so in his (lord Liverpool's) opinion, should the members of the Government and of the Parliament be Protestant also. For the question was, whether a Protestant dynasty, and a Protestant ecclesiastical establishment should be supported by a Protestant Parliament, and a Protestant Administration. This appeared to him substantially the question which their lordships were called upon to consider. Upon this point, he, for one, had seen no ground to alter the decision which he had already stated to their lordships: but it would be for the House to consider in this case, whether under a government which was not arbitrary, which, on the contrary, was limited by law, it would be wise to entrust the maintenance of that government which was essentially Protestant, to any other than Protestant councils; whether it would be safe to commit that government to the administration of Catholics. This was, indeed, the great question which he would not then argue in detail; but he felt it to be the real question for the consideration of Parliament. He was aware that many individuals, for whom he entertained the utmost respect, were of opinion that the Catholics might be conciliated, while all ground of alarm would be removed from the mind of the Protestants through the establishment of certain securities. But for himself, he was unable to comprehend how the securities proposed could serve to execute their purposes. On the contrary, according to his judgment it appeared impossible to produce any such securities as should at once satisfy the Protestant and conciliate the Catholic—such as should remove the jealousy of the one, and be agreeable to the feelings of the other—such, in a word, as should form the basis of a legislative arrangement satisfactory to all parties: and his view of the subject was justified by the proceedings of the Catholics of Ireland, who had loudly and universally expressed their disapprobation of the plan of securities which had on a late occasion been submitted to that House. What alteration, and whether any would take place in the state of the Catholic church, and in the opinion of the Catholic people in Ireland, which might render it safe for the Legislature to concede to the pretensions of the Catholic body, he could not pretend to say; but at present he was decidedly of opinion, that no such concession was proposed, as it would be prudent in the Legislature to grant with any probability of meeting a graceful reception from the Catholics. Under these considerations he was adverse to the proposed concessions. But whatever his opinion might be as to the policy of these concessions, he saw no advantage that could result from the proposed inquiry, and therefore he should give it his decided negative.

Viscount *Melville* thought that the adoption of this motion was not calculated to satisfy the Catholic body, and therefore he should vote against it, although he by no means concurred with those who resisted the proposed concession, on the ground that it would endanger the security of the Church establishment, for the security of which he was as anxious as any one who heard him. Therefore, although he should resist the proposed inquiry, as unlikely to lead to any satisfactory result, he hoped that some legislative measure would be devised for the conciliation of the Catholics without alarming the Protestants. But from the late period of the session, and from what had passed elsewhere, he could not expect that any practical benefit would be derived from resolving into a committee of inquiry upon this subject at present, with a view to any satisfactory conclusion within this session. Being, however, friendly to the Catholics, as he had manifested by his vote upon a former occasion, he hoped that some legislative measure would be brought forward at an early period of the next session, such as could be acceded to consistently with sound policy and justice to all parties; it should have his cordial support, for he was satisfied that things could not fairly remain as they were.

The Duke of *Sussex* declared his intention to vote for the motion, upon the grounds already so ably stated by the noble mover and others, who supported his view of the subject.

Lord *Mulgrave* spoke strongly in favour of the motion, and deprecated the idea of abstaining to do justice to the Catholic body, because some unreasonable persons were not likely to be satisfied. It was, in his opinion, the duty and the policy of the Legislature to separate the reasonable from the unreasonable part of the Catholics, and to render justice to the former, without any regard to the complaints or caprices of the latter; but to refuse inquiry, and to hold out no expectation, was not the way to afford due satisfaction to any party. He dissented entirely from the proposition of his noble friend (the earl of Liverpool), that it would be impossible to secure a Protestant government and a Protestant church, if Catholics were admitted into Parliament, or rendered eligible to certain civil appointments. So much as to the merits of the general question; and as to the motion before the House, he should vote for it, with a view to hold out an expectation to the Catholic body, that it was the intention of the House to remove their just complaints, for he was persuaded that things could not remain in their present state.

The Earl of *Harrowby* agreed with his noble friend who spoke last, that things could not remain in their present state, and should be ready to subscribe to his arguments in favour of the motion, if they were brought forward in February next, instead of the present advanced period of the session; but yet, on the grounds stated by his noble friend (viscount Melville), he could not help declaring, that if he were a Catholic he should consider the adoption of the present motion as a mere mockery.

Lord *Boringdon* said, it would be impossible for him to give his negative to the present proposition; but he found, from the tone and temper of the House at the present moment, that it would be impossible to bring the question to a favourable issue, in behalf of those for whom it was brought forward.

The Earl of *Donoughmore* expressed his disposition to conform to the wishes of the noble lords opposite, and therefore proposed as an amendment—That the House should resolve into a committee upon the question at an early period of the next session.

Lord *Grenville* suggested that this amendment might be adopted, by consent, among those who were friendly to the principle of the motion.

The Earl of *Liverpool* declared his intention to oppose the principle of the motion.

Viscount *Melville* expressed his approbation of the amendment.

The Earl of *Westmoreland* declined at present to pledge himself upon the subject, although he would probably support a reasonable concession to the Catholics, if brought before the House in the course of the next session.

Lord *Redesdale* concurred in the opinion of the earl of Liverpool, observing, that the system of securities proposed on a late occasion, appeared to him rather to increase than to diminish the danger of complying with the wish of the Catholic body. He approved of the concessions made to the Catholics of Ireland in 1793, but he thought any farther concession would be extremely inexpedient, at least until a material change took place in the character of that body.

The Earl of *Aberdeen* supported the motion, on the ground that by the motion he was not pledged to any general principle, but merely to an inquiry, for which he thought the present moment inauspicious. In the next session the situation of Europe might enable them to decide without danger on the claims of the Catholics.

The Motion was then put in the amended form, and the House divided:—

Non-contents, 42; Proxies, 44—86
Contents,...... 29; Proxies, 31—60
Majority against the Motion —26

List of the Minority.

PRESENT.

DUKES.
Sussex
Norfolk
Somerset

MARQUISSES.
Buckingham
Lansdowne
Wellesley
Douglas

EARLS.
Essex
Cowper
Jersey
Stanhope
Carnarvon
Rosslyn
Grey
Cassilis
Lauderdale
Donoughmore
Aberdeen
Mulgrave
Harrowby

VISCOUNTS.
Torrington
Melville

LORDS.
St. John
Grenville
Braybroke
Lyndoch
Boringdon
Calthorpe

BISHOP.
Norwich

PROXIES.

DUKE.
Leinster.

MARQUISSES.
Downshire
Sligo
Camden

EARLS.
Besborough
Guilford
Thanet
St. Vincent
Spencer
Ossory
Ilchester
Suffolk
Fitzwilliam
Carysfort
Derby
Hardwicke
Kellie
Londonderry
Granard
Ormond

VISCOUNTS.
Anson.
Clifden.

LORDS.
Ponsonby.
Crewe
Ashburton
Glastonbury
Dundas
Hutchinson
Somers
Yarborough

BISHOP.
Rochester.

The duke of Devonshire, the earl of Darnley, and the earl of Albemarle's proxies had been given, but were lost to the vote, by the peers who held them having been accidentally absent.

HOUSE OF COMMONS.

Thursday, June 8.

MENDICITY OF THE METROPOLIS.] Mr. *Rose,* in pursuance of his motion, rose to call the attention of the House to the mendicity of the metropolis. He believed as accurate information had been obtained on that subject as it would well admit of. A Mr. Martin, a respectable gentleman in this neighbourhood, and well known to many members of this House, had, with the greatest industry, compiled an account of the numbers and description of people in a medicant state in the metropolis and its vicinity, an account which he was ready to submit to the House. According to this account there were, on the whole, somewhat more than 15,000 persons in the metropolis and its immediate neighbourhood who subsisted by begging. They were divided in this manner. The persons who had settlements in the metropolis or neighbourhood, amounted to 6,690; of this number 4,150 were children, and 2,540 adults. There were besides 2,604 persons who had settlements in different parts of the country, that is in England; of these 1,374 were adults, and 1,230 children. Of the persons who had no settlements in this kingdom there were 5,310 Irish, of whom 3,273 were children, and 2,037 adults. The Scotch amounted to 504, of whom 309 were children, and 195 adults. The persons who had no settlements in any of these kingdoms, amounted to 177. The result gave nearly 6,000 adults, and 9,000 children. They were not all of them beggars, but some were artificers who earned as much as 40*s.* a week when in health, but who, from not being members of any friendly society, were left unprovided for when unable at any time to work. Allowing for the maintenance of these people, sixpence a day for such as were adults, and threepence a day for the children—the whole would amount to 100,000*l.* a year. But he was persuaded that the gains of these people were actually much greater; and the result of his inquiry was, that he would state the sums of money received very low if he allowed 3*s.* a day to each. He knew, however, to an absolute certainty, that many of them received considerably more than this; but 3*s.* a day would make somewhat about 328,000*l.* a year, supposing only the adults to receive it, and putting the children out of the question. The inconvenience to the public was notorious, not only from being incommoded by these persons in the streets (which was the least part of the evil), but from their having no regular means of subsistence, it was clear that the children must be brought up in habits of idleness, vice, and misery. Their system of education was most pernicious. This class of persons never sent their children to school; for the children were instruments in their hands to obtain relief by importunity. That schools were of the utmost advantage to the children of the poor, there could be no doubt; there were even instances of these children actually reforming their parents: he was acquainted with several instances of this description. There were many schools about the metropolis on a very extensive scale—the school for the children of Soldiers—the Royal Naval Asylum: there was one in Westminster for not less than one thousand children, which owed its existence chiefly to the Speaker, in conjunction with the late master of Westminster-school. Such schools were deserving of every degree of encouragement. A good deal of attention had also been paid to the situation of the poor of the capital and its neighbourhood. There was the association with which Mr. Martin was connected:—a number of gentlemen were authorized to deliver tickets to those people whom they might find begging; they carried their tickets to Mr. Martin's house, who made inquiry into their character, and if he found they were persons deserving of relief, they obtained assistance from him. In addition to this, there was an establishment which was called The Stranger's Friend, not generally known, but which was admirably conducted. The persons themselves went about town, and informed themselves as to the situation of various paupers, whose modesty would not allow them to beg in the common way, and gave them relief. There was another institution, called The Refuge for the Destitute, which was better known than the former. There was also another lately established, called The Irish Benevolent Society. His intention was to propose to the House to appoint a committee to consider the State of Mendicity in the Metropolis. If this should be agreed to, he would, in the first place propose, that the committee should endeavour to ascertain the fact of the extent of the evil. It was at least deserving of attention to try if some means could not be devised for remedying it. When the wisest and best of men had failed, it would be presumptuous to suppose that complete success could be expected; but still he thought something might be done. Nearly 7,000 of these people had settlements in or near the metropolis. The law of the country had provided a remedy for that. With respect to those who had settlements in the country, the same thing might be done with them. The next class was those who belonged to Scotland and Ireland; those from Scotland were few in number, and might be sent back to that country. But with respect to Ireland the difficulty was much greater, as they were more numerous, and in Ireland there were no poor-rates. In Scotland there were means of relief for the poor; and though there were no poor-rates generally in that country, yet the law was on that subject precisely the same as in England. Of the foreigners, many of them might be sent home to their own countries. There were often to be seen seamen begging with one arm only, or one leg. Knowing the false imputation which they brought on the country, he had often spoken to such persons, who admitted that they received a pension of 8*l.* a year. These were the most importunate of all beggars. After alluding to Edinburgh and Hamburgh, where mendicity was prevented, the right hon. gentleman concluded with moving, " That a committee be appointed to inquire into the state of Mendicity in the Metropolis and its immediate neighbourhood, and to report the same, together with their observations thereupon, to the House."

Mr. *Hammersley* thought that an establishment on the same plan as the House of Industry in Dublin might be serviceable in this country, as it would give an opportunity at once to refer all mendicants to a certain place.

Sir *M. W. Ridley* approved of Mr. Martin's plan. Of the tickets given to paupers, four out of five were never brought to the office, as the mendicants dreaded the inquiries which would be made. If that institution were more known and further extended, he thought it would materially tend to check and lessen the number of beggars. He alluded to the soldiers who pretended to have been blinded by the ophthalmia in Egypt, and who exposed themselves in a disgusting manner in the streets.

Mr. *Peel* was doubtful whether it would be politic to extend an establishment like the House of Industry in Dublin to this country. It cost 50,000*l.* a year, and relief was given to every person that applied, because there were no poor-rates: but if he was to judge of its efficacy from the state of mendicity in Dublin, his opinion would be far from favourable, as there was no city in which mendicity prevailed to such a degree as in the Irish capital.

Sir *J. Newport* preferred the plan of work-houses like those in existence at Cork, and other places, in which a previous examination took place before paupers were admitted. To extend an establishment in which no inquiry was allowed, would merely extend beggary.

Mr. *Lockhart* thought that if mendicants were prevented from begging, many of them would resort to more dangerous practices. They would spread into the country, would avoid well-regulated towns, and we should hear of their devastations in places where the police was less active, or not so well conducted. He doubted whether all charitable institutions had not a tendency to create the evil which they were intended to relieve.

Mr. *Rose* said, it was desirable that the respective parishes should take care of their own poor. Nobody was more averse than himself to remove any person while he could maintain himself; and he had first introduced a law to that effect.

The *Chancellor of the Exchequer* rose to detain the House but a very few moments; but he could not help bearing testimony to the assiduity and diligence of the gentleman who had principally conducted the plan of the mendicity inquiry, first under the auspices of lord Pelham, and subsequently under those of lord Sidmouth. He would not entertain too sanguine hopes of an entire remedy being provided for the evil; but be that as it might, he thought it a subject highly deserving of such consideration, as was due to the benevolence of the individual who had conducted it, and that the mass of information which he knew to have been already collected, would be of great use to the committee which should be appointed to consider the subject.

After a few further observations from sir John Sebright, Mr. Alderman Atkins, and sir Charles Monck, the motion was agreed to, and a committee appointed accordingly.

Thames Bathing Bill.] Mr. *Barclay* presented two petitions against the Thames Bathing Bill: the one from the watermen that ply upon the Thames, and the other from the inhabitants and householders on the banks of the river. He thought that something should be done to prevent the indecencies which were now witnessed, and which otherwise would extend to a greater degree. He defended the principle of these petitions. He had heard much of the rights of man, and lately of the rights of Scotch poachers: he hoped he should not hear of the right of indecent exposure. The remedy by action at law was slow and expensive.

Mr. *M. A. Taylor* had lived for twenty-seven years on the banks of the Thames, and had never perceived any acts of indecency. Some time he had not seen six persons bathing in the course of twelve months. Were we worse than our ancestors? As a magistrate he did not recolject that any particular acts of that nature had come under his knowledge; and if they had, they could not be punished by an action, but by fine and imprisonment.

Mr. *Harvey* had likewise the pleasure of living on the banks of the Thames, and he could not help saying that it was almost impossible for any decent person to live in such a situation from the number of persons undressing themselves, and exposing their naked bodies to view.

Mr. *Calvert* begged leave to state, that he did not believe either petition proceeded from the inhabitants of Southwark.

The petitions were ordered to lie on the table. Mr. Wynn then moved the order of the day for the House to resolve itself into a committee on the Thames Bathing Bill. The House having resolved accordingly,

Mr. *Harvey* proposed a clause, the object of which was to prevent persons from bathing in the River Thames in particular places; by imposing a penalty, recoverable before a magistrate, of not less than 5*s.*, and not more than 10*s.* for the first offence, and of 20*s.* for the second offence; the magistrates having power to prohibit bathing, on application from the inhabitants, in particular districts.

On this a division took place, without comment. The numbers were—For the clause, 28; Against it, 56; Majority, 28. The Bill, in its original form, was then agreed to, and the House resumed.

STAMP DUTIES — NEWSPAPERS.] Mr. Brogden brought up the Report of the Committee of Ways and Means. On the resolution for imposing a duty of an additional halfpenny on newspapers being read,

Sir *John Newport* suggested the propriety of reducing this duty to its original state. He was quite sure that the quantum of revenue the increase would produce, would in no respect compensate the public for the loss which they would sustain by the impediments which would be thrown in the way of receiving that information which at this particular period was of such general importance. The right hon. baronet then moved an amendment by substituting three-pence halfpenny in the room of four-pence.

After a few words from the Chancellor of the Exchequer, which were inaudible in the gallery, a division took place—For the Amendment, 16; Against it, 53; Majority, 37. The resolution was then agreed to.

List of the Minority.

Allen, G.
Compton, earl
Duncannon, visc.
Horner, F.
Lefevre, C. S.
Moore, P.
Martin, J.
Marryatt, J.
Monck, sir C.
Majoribanks,

Montgomery, sir H.
Newport, sir J.
Riddell, sir J. B.
Ridley, sir M. W.
Smith, J.
Tierney, G.

TELLERS.

Bennet, hon. H. G.
Gordon, R.

EAST INDIA SHIPS REGISTRY BILL.] The Report of the committee on the East India Registry Ships Bill being taken into further consideration,

Mr. *Wallace* proposed to introduce a clause to substitute 350 tons to 100. As the Bill stood, no ship under 100 tons was to obtain a registry: he found that ships of that tonnage were not employed in the East India trade, and therefore wished to alter the number to 350.

Mr. *Marryatt* renewed his opposition to the Bill. It had been said by an hon. member (Mr. C. Grant) on a former day, when he (Mr. Marryatt) had announced his intention to offer a clause for restricting the operation of this Bill, that it might as well be attempted to take from the East India Company their charter, as to prohibit them from employing India-built ships. He would state what had been advanced on this subject by that hon. member, and other directors of the East India Company on a former occasion, and leave him to answer his own arguments as he could. He then quoted the report of a committee of the East India Directors, dated January 27, 1801, in which the admission of India ships into a formal participation in the commerce and navigation between Britain and India was viewed with the most serious apprehension. In another part of the same Report such a line of conduct was "deprecated as tending to supersede the Company's privileges, and open the way to what all agreed ought to be prevented—the colonization of Europeans in India." It was further stated "to involve principles and effects dangerous to the interests both of the Company and of the nation, to lead to the pouring of Europeans of the lower sort into India, and thus, by lessening that respect entertained for the British character, which had hitherto contributed to maintain our ascendancy in the East, to disturb and shake our Government there." In a second Report, the plan of the Governor-general respecting India ships, was described to be at variance with the principle adopted by the Court of Directors." A third Report stated, "the public to have been under a delusion." They had heard so much of British manufactures and surplus produce, that they never believed other objects were in view; at last, however, the mask fell off, and the truth appeared to be—a trade in India-built ships. It was added, "that though this was the primary object of the parties concerned in these representations, their friends in this country were aware that British ships could not be sacrificed for so flimsy a pretence." In one of the Reports it was stated that "the Directors, after viewing the question respecting India ships generally, entertained a decided opinion that it was sound policy to look with a jealous eye on any other description of naval or military strength, or the seeds of it that might be about to arise in India, that was not British." The Directors, however, added, "they were willing to sacrifice their own judgment to that of the Government, and to endeavour to carry into effect the plans of the ministers for the public service; but doing this, they were aware that they ought to be on their guard, to speculate upon events, and to look for combinations far different from those which had formerly occurred." In replying to the statements which had been made, it had been said in the Report, that "it would be impracticable to bring the foreign trade to the River Thames, if teak ships were employed as the means. The best and only means consistent with the combined and extensive interests of land, commerce, and manufactures and navigation, at the same time that the public faith would thereby be preserved inviolate, would be to employ British ships." It was added, "that if there were any well-founded claim on Government at that time, it was the fair and just claim of British ships and seamen to provide, and not to deprive them of, the means of employment, in return for the great and meritorious services rendered during the war." These Reports were subsequently confirmed by the Directors and Proprietors. After some farther observations, he concluded by moving the following clause, "That no ship or vessel employed by the East India Company in the China trade, and not built within the United Kingdom, shall be entitled to the privileges of British-built vessels."

Mr. *Grant* thought the hon. gentleman had laboured hard to make the worse appear the better reason. He had quoted reports of the Court of Directors to support a doctrine contrary to the obvious intention and scope of those reports. The Court of Directors had never any particular objection to teak ships more than to other ships; but their objection was to admitting any other ships into the participation of their rights. He conceived, that the clause proposed by the hon. gentleman would have the effect of taking away the charter from the Company, and giving them up, bound hand and foot, into the power of a few ship-builders on the River Thames. His argument went upon the fallacious supposition, that if this Bill were to pass, all the ships to be employed in the trade for the future would come from India. The only consequence would be, that the Company would not be left entirely at the mercy of about half a dozen ship-builders on the River Thames, to be charged whatever exorbitant price they thought proper. In 1793 the price they charged was 14*l.* a ton. In 1800 it was 19*l.* 10*s.*; but after 1805 it rose from 25*l.* to 31*l.* per ton. The price of wages, which in 1793 was three shillings and sixpence a-day, had afterwards got up to seven, and even to ten shillings. If those men choose to idle three days in the week, it was the East India Company that must pay for it. For a long period of time, the Company had been entirely at the mercy of the ship-builders of the River Thames. The power of building ships in India had certainly rendered them somewhat more independent of them. India, however, had not the means or resources, nor would it have for a long time, of finding tonnage equal to the demands of commerce. He believed that out of the last 79 ships, 13 only had been built in India. As the building for India was never above a third of the whole business of the ship-builders in the Thames, it was going too far to say that their trade would be annihilated, even if the whole of the East India business was withdrawn from them. There was no reason, however, to doubt but that they would for a long time have by much the greater part of their business. When the worthy alderman (Atkins) had spoken, on a former night, of the number of shipwrights that would be thrown out of employ, he must observe that he believed the whole number of shipwrights in the Thames did not exceed 4,500, and that 400 (not quite a tenth of these) were all that were ever employed in building ships for the East India Company. Were all the great interests of the Company then to be sacrificed to the interest of a very small number of ship-builders and shipwrights on the Thames? All that these persons could now complain of, was, that their monopoly would be affected by introducing a sort of competition. It was a most mistaken idea to conceive that India ought to be governed at all like a colony. It was a great and populous empire, rich in arts and manufactures, when we first came there: it would be therefore most unjust to prevent them from availing themselves of their natural advantages. It would be also most impolitic for this country to refuse to avail itself of the advantages that their great forests afforded for ship-building. As to the apprehension of the Indians becoming a great maritime nation, it must be recollected, that of all the classes of Indians it was only the Mahometans that ever became sailors, and therefore the Indian sailors could only be taken from among those Mahometans that happened to live near the sea-coasts. As to what had been said about the probability of a revolution in India, he considered that our government was now more confirmed and stable than at any former period.

Mr. *Marryatt*, in explanation, said, that his clause did not at all respect the ships employed in the trade between India and this country, but had only reference to the trade with China, the monopoly of which was allowed to be a great advantage to the Company.

Mr. Alderman *Atkins* observed, that the surveyors of the India Company exercised the right of survey as to the materials of the ships built for them in the river Thames, as strictly as it was exercised on the part of the royal navy. The great increase in the price of ship-building had not proceeded from any exorbitant demands on the part of the ship-builders, but from the great price to which foreign timber had been raised, from our being excluded from the trade of the Continent. As to the price of labour, the war had raised the value of a man's labour, in the same proportion that other articles were raised.

Mr. *P. Moore* said, that there ought to be a fair and open competition with regard to ship-building, and opposed the clause.

Mr. *Forbes* spoke a few words against the clause.

The House divided: For the clause, 11; Against it, 39; Majority, 28. The Bill was ordered to be read a third time tomorrow.

HOUSE OF COMMONS.

Friday, June 9.

Parish Apprentices' Bill.] On the order of the day for taking into further consideration the report of the committee on the Bill to amend the laws respecting Parish Apprentices,

Sir *Samuel Romilly* said, he thought the Bill would be the means of doing much good. The greatest abuses arose from the practice of binding children at a great distance from their relatives. There was a clause in the present Bill which might have very salutary effects, he meant that which appointed the indenture to be signed by the magistrates of the parish from which the child came, and that to which it was taken. He hoped that magistrates would conscientiously attend to their duty, and inquire not only into the manner in which the child was bound, but respecting the person to whom it was bound, as they were empowered to do; that they would consider themselves as in the situation of fathers to those unfortunate children. He was astonished at the fact which had come out in the course of the inquiries which this Bill had given rise to, that magistrates often signed indentures blank, without knowing any thing of the masters, and that it frequently happened that there was no other formal party to the indenture but the magistrate; and magistrates of the county of Surrey were expressly named as having acted in this manner. He hoped the law in this respect would be attended to, for it was no use to pass laws if they were not carried into execution.

Mr. *Wilbraham Bootle* had no doubt, on further inquiry, that the abuses would be discovered.

Mr. Serjeant *Onslow* thought, that magistrates too often confounded judicial with ministerial functions. He knew the individuals alluded to, and was convinced of the purity of their intentions. The mistake, however, was a most mischievous one, and he hoped this mention of it in the House would call the attention of magistrates to the subject.

The report was taken into further consideration, and the Bill ordered to be read a third time on Thursday.

Ordnance Estimates.] The House having resolved itself into a Committee of Supply, to which the Ordnance Estimates were referred,

Mr. *Ward* then entered on the statement of the Ordnance Estimates. The Ordinary estimate for that service amounted to 1,141,045*l.* 5*s.* 10*d.*; which was 147,000*l.* less than the former war establishment. The companies in the Ordnance were reduced 20 men each, viz. from 120 to 100. The Extraordinaries would amount to 2,246,917*l.* 12*s.*; which was 492,000*l.* less than the estimate of the last year of the former war; and, all together, it was less by 700,000*l.* than if we had still gone on on the war establishment of 1814: this, therefore, would appear to the committee as a serious diminution in the general expense. The total amount, then, for the service of Great Britain, for the present year, will be 3,459,600*l.* 1*s.* 10*d.*; and that for Ireland, 375,820*l.* 18*s.* 10*d.*; making a grand total for the service of the United Kingdom of 3,835,421*l.* 0*s.* 8*d.* This sum was greater than our peace establishment by nearly 1,500,000*l.*; and less than our last war establishment by 784,000*l.* He should be happy to afford any information in his power on this subject, to any gentleman requiring it; but there was one item of the expense to which he would particularly allude—it was the increase of salaries to clerks, making a sum of 5,000*l.* for the land service, and the same for the sea service. The salaries formerly received were inadequate for procuring the clerks the common necessaries of life; he was therefore convinced the committee would not object to the increase. He concluded by moving, "That a sum not exceeding 3,835,421*l.* 0*s.* 8*d.* be granted for the purpose of defraying the charges of the Ordnance Establishment of Great Britain and Ireland."

Mr. *Bennet*, remarking on the immense expenses for repairing and building fortifications and other works, lamented that they should be incurred in executing the plans of a Board, the members of which had never seen any foreign service.

Mr. *R. Ward* eulogized the great abilities and science of the Inspector-general of Fortifications and of the members of the Board; and contended, that a man of science, who had never quitted his library, was as capable of planning and of executing defensible fortifications, as men who had seen active service, which, indeed, was not in the least necessary.

Mr. *Bennet* said, that he had not mentioned any particular person, nor was he by any means willing to deny the talents and scientific knowledge of the Inspector-general; but he could not assent to the opinion expressed by the hon. gentleman, of the inutility of practical knowledge.

Mr. *Ward* acknowledged that no particular name had been mentioned, but, however, the persons alluded to were no less understood. A great injustice had been done to an officer of distinguished merit, whose valuable life had been devoted to the service of his country. He challenged the hon. gentleman, or any of his parliamentary friends, to rival the knowledge of the Inspector-general. He stated, that maps had been drawn out of the several counties in England; which, however, Government did not deem it prudent to publish at present, lest they might fall into the hands of the enemy: and in justification of this reserve, he adduced the example of Buonaparté, whom he designated as the ablest captain in the world—and who, threatened with invasion by the Allies, destroyed Cassini's maps of France, lest the enemy might thence obtain useful information. And to show how highly the maps of this country were prized by Buonaparté, he mentioned that when retiring to Elba, he was seen particularly careful of a large box, which was supposed by many to contain some valuable treasure; but on opening it, nothing was found but some maps of the sea-coast of England.

Mr. *Whitbread* admired the happy discretion exercised by his Majesty's ministers, in withholding the maps of Bedfordshire, and Buckinghamshire, and other interior counties, while it was acknowledged that maps of the maritime districts were in possession of the enemy. [Hear!] But there was one expression in the speech of the hon. gentleman, which surprised him not a little. He alluded to his having called Buonaparté the ablest captain in the world. This was an acknowledgment he had by no means expected at the present moment from a gentleman filling an official situation in this country. If such an opinion had fallen from any one on his side of the House, censure would be incessant in its attacks, and it would have been received with an uproarious exclamation of astonishment and triumph.—[Hear!] Certainly, however, such an opinion would have been less wonderful than when coming from a person of the hon. gentleman's gravity, and tutored in principles so totally different. It was to have been expected, that at least a rival should share that name with Buonaparté, and that even if the hon. gentleman were desirous of ranking him as the first captain in the world, he would associate the Duke of Wellington with him in the title, and so make out two first captains in the world—[Hear! and laughing.] Yet this Buonaparté, so highly esteemed, is represented as a second Alaric, anxious to destroy a work of genius, and to annihilate Cassini's plates; and the hon. gentleman must needs take the first of men as his example: differing from him in this only, that while one destroys the source of knowledge, the other is equally desirous to withhold it. To him, likewise, are we indebted for an additional anecdote of Buonaparté, which shows that those maps of England, whence danger might be apprehended, were in our enemy's possession, while we were withholding others, which could not by any means be considered injurious. The hon. gentleman had argued, as if his hon. friend had not a right, or was unable, to examine the competency of persons appointed to fill particular offices. "Oh!" said he, "if you have any doubts on the subject, call me, or some of my coadjutors to the bar, and we will prove the competence of the persons alluded to." But he insisted on the right of his hon. friend, as a member of parliament, to make the remarks he had done, and to demand the information which he called for. With respect to this mighty secret, which, it seemed, was to be confined under 10,000 padlocks, he could inform the hon. gentleman, that it was published long before the Government knew any thing about it. In making the celebrated survey of the coast, foreign artists had been employed. One of them, a man of very great abilities, had proceeded to France the moment peace was concluded in 1802, and what he had published was quite sufficient for every purpose the French might have in view—it contained every thing which they could desire to know on the subject. Now, that which he and his hon. friend wished to be produced, related solely to the interior of the country. Surely they were not now afraid of invasion. The right hon. the Chancellor of the Exchequer had informed them, that Buonaparté was to be destroyed by a great simultaneous effort—he was to be run down sooner than the King of Naples was. And yet the hon. gentleman seemed to think, that if those maps fell into the hands of the enemy, they would quickly force their way into the interior of the kingdom, in spite of the country gentlemen, their local militia, and all their appointments. [A laugh.] He contended that he, or his hon. friend, had a perfect right to comment on the capability of any officer employed in the public service. It was not to be endured, that an attempt should be made to interfere with that right, or that the information demanded should be refused. The fortifications at Dover and Chatham—the canal, and the Martello towers—had been carried on in a manner that appeared ridiculous, in the eyes of those who were perfectly capable of judging of such works. Here, then, a necessity for explanation was evident. A great waste of public money had taken place in erecting those Martello towers, and in raising fortifications at Dover and Chatham; and, therefore, his hon. friend was warranted in asking, who were the persons constituting the Board that superintended those works, and what their specific services had been? Those persons had, no doubt, decided honourably, and acted to the best of their judgment; but certainly they had proceeded in a manner that excited the surprise of many persons who had seen much service. And here he begged leave to relate an anecdote, in return for the one with which the hon. gentleman had favoured the committee. When the Martello towers were first projected, two sets of engineers waited on Mr. Pitt, who, though he could reason very acutely on most subjects, certainly was not an engineer. After hearing various arguments adduced, on the one side, in favour of Martello towers, and, on the other, in support of canals, as the best mode of defending the coast, he observed—"I have heard so much on both sides, that I am at a loss to which I should give the preference—therefore, let us have both;" and both he had accordingly. Those who saw the canal, smiled at the futility of such a mode of defence. It was indeed, very weak to imagine that a ditch, 30 or 40 feet wide would stop the approach of an enemy who had landed on our shores. With respect to the capacity of the members of that House, in general, to judge of the utility of such works, he conceived it was at least equal to that of the hon. gentleman—whose time had principally been devoted to the study of the law of nations—to the investigation of that which ought to prevent war. But, as to military matters, he had only applied himself to them very late in life—when, for particular purposes, he was selected to fill the office he now held. [Hear, hear!] The hon. gentleman might be very fit for the office he was appointed to—but members would be extremely unfit for the situation they filled in that House, if they did not ask questions as to the competence of individuals to perform particular duties.

Mr. *R. Ward* observed, that the hon. gentleman had, as his custom was, mixed up a great number of matters in his speech, which had nothing to do with the question before the House. In every speech he made, the hon. gentleman was in the habit of indulging in personal allusion and attack. With all the respect he felt for the hon. gentleman out of the House, he must inform him that those attacks, whether arising from the feebleness of the public grounds on which he opposed ministers, or arising from rashness of character or impetuosity of temper, were perfectly unimportant to him, and were heard with the utmost indifference. Knowing that the hon. gentleman was in the habit of making attacks on all sides—recollecting how egregiously he had failed in all his attempts during the present session, he almost felicitated himself on becoming the object of his animadversion on this occasion. [Here Mr. Whitbread laughed.] It was very well to endeavour to laugh it off, but that was not the way to disprove his statement. The hon. gentleman, when he was absolutely ignorant of what was passing in the world, during the absence of his noble friend (lord Castlereagh), came down to the House, and attempted to hold him out to the public as a person unworthy of their confidence; but, when dared to proceed, he retired, and refused to bring forward any specific question, on which the sentiments of the House, with respect to the conduct of his noble friend, could be fairly manifested. At the commencement of the session he considered him the best friend Government ever had, and he now continued of the same opinion. What had he done on the present occasion? This being a vote for a very large sum of money, the hon. gentleman had confined his observations to the single question of maps. This, it appeared, was the only point of objection, on a vote of 4,000,000*l.* of public money. The hon. gentleman seemed to think that no danger could arise from the publication of those maps, because some of them had been given to the world. But was there no information of an objectionable nature, to be derived from them, with respect to Scotland—to Ireland—and to many counties of this kingdom? Was it to be argued, because a survey of three counties had been published, that, therefore, the whole should be forthcoming?

Mr. *Whitbread* observed, that the hon. gentleman's description of a personal attack was extremely curious. He (Mr. Whitbread) was stated to be in the habit of striking at random—of hitting every one about him; and this the hon. gentleman denominated a personal attack. The hon. gentleman accused him with having taken a direct aim, which he afterwards explained as being nothing more than a random shot. With respect to what passed in the early part of the session, the Journals of the House, and the debates on the different questions he had introduced, would best prove whether he had failed, and whether he had acted in complete ignorance of the subjects he had brought under consideration. Of this, however, he was sure, that the hon. gentleman had shown himself quite ignorant of the details of the business of the House, or he never would have hazarded the remarks he had made on this particular point. The hon. gentleman seemed to argue, that he had a better right to understand the qualifications of certain public servants, than gentlemen who were not connected with ministers. As he (Mr. Whitbread) had not, like the hon. gentleman, taken office, there was little doubt that the hon. gentleman was possessed of more information on this point, than he could pretend to. But that information, he conceived, ought to be stated to the House when it was called for. He wished to make no observation that was not founded in good humour and sincerity; and, however he might respect the hon. gentleman, he was really of opinion, that persons might be found more fit to fill the situation he at present held, than he was.

Mr. *R. Ward* said, that the attack of the hon. gentleman, who was so fond of making charges, did not affect him.

Mr. *Whitbread.*—I brought no charge against the hon. gentleman. All I said was, that a person who was educated as a civilian, could not be more capable of judging of military matters than members of parliament in general were.

Mr. *Frankland Lewis* said, that when it was originally determined to form an accurate survey of this country and of France, it was intended for the benefit of the two nations; artists were selected from each, and degrees were measured on both sides of the water. No person thought of danger, until it was too late to think of preventing it. Surveys of Kent, Sussex, Essex, and a great part of Dorsetshire, were published under the administration of the duke of Richmond. One of two conclusions must, in the present instance, be come to. Either the maps ought to be published, with a view to that public benefit which was originally intended, or the project ought to be abandoned altogether, if danger were apprehended from it. How could Government think of proceeding with so expensive an undertaking, and, at the same time, refuse to let the public participate in the benefit of it? The whole of the argument in favour of the concealment of those copper-plates, was uncongenial with English feeling, and reminded him of the mean jealousy of the Chinese and Spaniards.

Mr. *D. Giddy* said, that if the probability of danger from the publication of those maps could be clearly shown, he certainly thought it would be right to refuse them. But he saw no reason to apprehend any disadvantage whatever. Indeed, he understood, that a set of maps had been published in France, which (although the elevations were not marked on them) could very easily be filled up, so as to answer every practical military purpose. He had stated, last session, that if ministers persevered in refusing those maps, he should make a motion on the subject; but, as it might have been considered a hostile measure, he had abstained from it. The hon. gentleman had stated to the House, that it was not expedient to give any farther information on this subject; but if some good reasons were not given in the next session, for withholding those maps, he should feel it his duty to bring the matter under the consideration of the House. In that part of the country (Cornwall) with which he was particularly connected, a Geological Society had been recently established; they were about to publish a very large map, six inches to a mile, in which all the lodes and veins of ore would be marked, as well as the elevation of the different hills, which was a point of great importance in mining. If he thought any public disadvantage was likely to arise from the publication of this geological map, he certainly would not put private benefit in competition with the safety of the country. The same remark would apply to the maps which had given rise to this conversation; from the publication of which he conceived no inconvenience, and much benefit, would be derived.

Mr. *Baring* said, that Cassini's maps had not been destroyed: he had, in his possession, a very good set of them. He considered it truly ridiculous to apprehend any danger from the publication of the remainder of the British survey, after the enemy were placed in possession of all the information they could possibly want, the maritime counties having been already published. The hon. gentleman imagined, that there was nothing connected with those estimates, to which they could object, except the grant which respected maps. There was, however, a sum of 240,000*l.* charged for fortifications, in the present year, in this country, to which he strongly objected. It would, perhaps, be asked, "Do you wish those fortifications to be abandoned?" He had no hesitation in saying, that he sincerely wished they were, with the exception of the two great naval arsenals of Portsmouth and Plymouth. It was, perhaps, expedient to have them fortified; but he believed there was no man, conversant with the military defence of a country, who would not say, that the fortifications at Dover and Chatham were utterly useless.

Mr. *Ward* began to address the committee, and was observing, that he did not repent any expression he had made use of, in answering the hon. gentleman opposite—when he was interrupted by

Mr. *Whitbread*, who said, it had never occurred to him, that any thing calling for repentance had happened in the course of the evening. But, when the hon. gentleman alluded to what had previously passed, and stated, that he did not repent it, he (Mr. Whitbread) thought it right to call for an explanation of the hon. gentleman's expression.—(Loud cries of "Chair!")

Mr. *Brogden.*—I think there has been too much of personal attack and of personal feeling in the observations of the hon. gentlemen. It had better rest here.

Mr. *Whitbread.*—The attack I conceived to be parliamentary; and the manner in which it was met I thought also to be parliamentary. But the manner in which the hon. gentleman has alluded to it, I look upon to be unparliamentary, and I object to it.

Mr. *R. Ward* said, when he stated that he did not repent any words he had uttered, it was with reference to a public subject, and to his conduct on that particular subject: and he begged leave to disclaim any wish to treat the gentleman (whose private character he highly esteemed) with disrespect.

Mr. *Whitbread.*—There is a word omitted, which, situated as I am before the committee, ought, I think, to have been particularly used. The hon. gentleman speaks of me, as the "Gentleman," not the "Honourable Gentleman." This, I take to be unparliamentary.

Mr. *R. Ward* meant to have designated him as the "Honourable Gentleman." He did not repent a single word he had said; but, in making this observation, he intended nothing personal.

Mr. *Brogden* was desirous that the conversation should cease.

Mr. *Bennet* expressed a similar wish; at the same time observing, that there was something in the course pursued by the hon. gentleman that very naturally excited the notice of his hon. friend.

Mr. *R. Ward* said, that with respect to the course he might feel it necessary to adopt, he should always follow his own discretion. He then proceeded to defend himself from the charge of having asserted, that gentlemen were not competent to criticise military works, because they were not military persons. He never stated any such thing. He merely observed, when gentlemen were censuring military works, in general terms—calling this ridiculous, and that preposterous—that those who understood the subject better, thought otherwise. Even though a civilian, he conceived he was quite competent to make this remark.

Mr. *Whitbread* observed, that the hon. gentleman's profession of unrepentance was quite unnecessary, as he had not been called on to repent. For his own part, he should not desist from observations on those estimates in future; and so far the hon. gentleman, who was desirous of being attacked, would, from the manner in which they were brought forward, be pretty sure to be gratified, as he (Mr. Whitbread) should find it very inconsistent with his feelings or principles to sink, like some other hon. gentlemen, into perfect silence with a good grace.

Sir *J. Newport* asked why the accounts of Ordnance Contracts, which had been ordered, were not laid before the House. He was well informed that a provision which had been ordered by the law of 1782, to be inserted in all contracts with Government, viz. that no member of that House should participate in the profits, had not been inserted in those contracts. He had also very good information, that in a contract with another Board, as appeared by the answer to a bill of discovery, two members of the House had actually participated. A very good provision had been inserted in the Ordnance Contracts, viz. that no clerk of the office should participate; but this was no justification of the omission of that which the law required.

Mr. *R. Ward* said, that as soon as the accounts were made out they would be presented. They had been voted but ten days. He could certainly state, that no member of parliament had entered into a contract with the Ordnance.

Mr. *Baring* wished to know whether that provision which was ordered by the law of 1782, had in fact been inserted in the Ordnance Contracts?

The *Chancellor of the Exchequer* answered, that it had by inadvertence been omitted, as he had found on inquiry.

Mr. *H. Martin* asked on what ground the addition of 1,500*l.* had been made to the salary of the Secretary of the Master-general of the Ordnance?

Mr. *R. Ward* answered, that formerly there were two secretaries, but that in 1813 the experiment had been tried of performing the service by one, which had succeeded. The two secretaries had staff appointments in addition to their salaries, and received fees on warrants. The staff appointments were now taken away, and the fees were paid to the account of the department; so that instead of an increase of expenditure, the public had in fact saved between 14 and 1500*l.* a year.

Mr. *H. Martin* observed, that he hoped the increase of expence would turn out to be a saving in other instances; but since the year 1810, when accounts of the increase of salaries had first been presented to the House, there had been an increase of allowances to the officers in this department little short of 30,000*l.*

Mr. *R. Ward* said, the increase of allowance was made to the servants of the public in the Ordnance Department in proportion to their length of service, on certificates of good behaviour. The clerks were paid less in the Ordnance Department for the same service than in any other.

Mr. *Martin* wished to know on the subject of a pension to colonel Congreve, which he should at some future time bring before the House in a specific form, whether there was any precedent for the manner in which that pension had originated, viz. by the intimation of the Royal pleasure to the Master-general? He should say nothing at present of the grounds of that pension, but he merely wished to know as to the form, which had been also followed in the case of the pension to colonel Shrapnell.

Mr. *R. Ward* said, the form of proceeding in the case of these two pensions was the same which had always been followed from time immemorial on the grant of any pension or allowance in this department, viz. by an intimation of the Royal pleasure.

The Resolutions were then agreed to.

CONVENTION BETWEEN GREAT BRITAIN AND THE NETHERLANDS.] Lord Castlereagh presented, by command of the Prince Regent, a copy of the following

CONVENTION between Great Britain and the United Netherlands; signed at London, 13th August, 1814.

In the Name of the Most Holy and Undivided Trinity,

The United Provinces of the Netherlands, under the favour of Divine Providence, having been restored to their independence, and having been placed by the loyalty of the Dutch people and the achievements of the Allied Powers, under the government of the illustrious House of Orange: and his Britannic Majesty being desirous of entering into such arrangements with the Prince Sovereign of the United Netherlands, concerning the colonies of the said United Netherlands, which have been conquered by his Majesty's arms during the late war, as may conduce to the prosperity of the said State, and may afford a lasting testimony of his Majesty's friendship and attachment to the family of Orange, and to the Dutch nation: the said High Contracting Parties, equally animated by those sentiments of cordial good-will and attachment to each other, have nominated for their plenipotentiaries: namely, his Majesty the King of the United Kingdom of Great Britain and Ireland, the right honourable Robert Stewart, viscount Castlereagh, one of his said Majesty's most honourable Privy Council, a Member of Parliament, Colonel of the Londonderry regiment of Militia, Knight of the most noble Order of the Garter, and his principal Secretary of State for Foreign Affairs, &c.; and his royal highness the Prince of Orange-Nassau, Prince Sovereign of the United Netherlands, his excellency Henry Fagel, his Ambassador extraordinary and plenipotentiary at the Court of his Britannic Majesty:—who, after having exchanged their full powers, found in good and due form, have agreed to the following articles:—

Art. 1. His Britannic Majesty engages to restore to the Prince Sovereign of the United Netherlands, within the term which shall be hereafter fixed, the colonies, factories, and establishments which were possessed by Holland at the commencement of the late war, viz. on the 1st of January, 1803, in the seas and on the continents of America, Africa, and Asia; with the exception of the Cape of Good Hope and the settlements of Demerara, Essequibo, and Berbice, of which possessions the High Contracting Parties reserve to themselves the right to dispose by a supplementary convention, hereafter to be negociated according to their mutual interests; and especially with reference to the provisions contained in the 6th and 9th Articles of the Treaty of Peace signed between his Britannic Majesty and his Most Christian Majesty on the 30th of May, 1814.

Art. 2. His Britannic Majesty agrees to cede in full sovereignty the island of Banca, in the Eastern Seas, to the Prince Sovereign of the Netherlands, in exchange for the settlement of Cochin and its dependencies on the coast of Malabar, which is to remain in full sovereignty to his Britannic Majesty.

Art. 3. The places and forts in the colonies and settlements, which by virtue of the two preceding Articles are to be ceded and exchanged by the two High Contracting Parties, shall be given up in the state in which they may be at the moment of the signature of the present Convention.

Art. 4. His Britannic Majesty guarantees to the subjects of his royal highness the Prince Sovereign of the United Netherlands, the same facilities, privileges, and protection, with respect to commerce and the security of their property and persons within the limits of the British sovereignty on the continent of India, as are now or shall be granted to the most favoured nations.

His royal highness the Prince Sovereign, on his part, having nothing more at heart than the perpetual duration of peace between the Crown of England and the United Netherlands, and wishing to do his utmost to avoid any thing which might affect their mutual good understanding, engages not to erect any fortifications in the establishments which are to be restored to him within the limits of the British sovereignty upon the continent of India, and only to place in those establishments the number of troops necessary for the maintenance of the police.

Art. 5. Those colonies, factories, and establishments which are to be ceded to his royal highness the Sovereign Prince of the United Netherlands by his Britannic Majesty, in the seas or on the continent of America, shall be given up within three months, and those which are beyond the Cape of Good Hope within the six months which follow the ratification of the present Convention.

Art. 6. The High Contracting Parties, desirous to bury in entire oblivion the dissentions which have agitated Europe, declare and promise, that no individual of whatever rank or condition he may be, in the countries rrstored and ceded by the present Treaty, shall be prosecuted, disturbed or molested in his person or property, under any pretext whatever, either on account of his conduct or political opinions, his attachment either to any of the contracting parties, or to any government which has ceased to exist, or for any other reason except for debts contracted towards individuals, or acts posterior to the date of the present Treaty.

Art. 7. The native inhabitants and aliens of whatever nation or condition they may be, in those countries which are to change Sovereigns, as well in virtue of the present Convention as of subsequent arrangements to which it may give rise, shall be allowed a period of six years, reckoning from the exchange of the ratifications, for the purpose of disposing of their property, if they think fit, whether it be acquired before or during the late war, and of retiring to whatever country they may choose.

Art. 8. The Prince Sovereign of the United Netherlands, anxious to co-operate, in the most effectual manner with his majesty the King of the United Kingdom of Great Britain and Ireland, so as to bring about the total abolition of the Trade in Slaves on the coast of Africa, and having spontaneously issued a Decree on the 15th of June, 1814, wherein it is enjoined, that no ships or vessels whatever, destined for the Trade in Slaves, be cleared out or equipped in any of the harbours or places of his dominions, nor admitted to the forts or possessions on the coast of Guinea, and that no inhabitants of that country shall be sold or exposed as slaves—does moreover hereby engage to prohibit all his subjects, in the most effectual manner, and by the most solemn laws, from taking any share whatsoever in such inhuman traffic.

Art. 9. The present Convention shall be ratified, and the ratifications shall be duly exchanged at London within three weeks from the date hereof, or sooner if possible.

In witness whereof, we the undersigned Plenipotentiaries, in virtue of our respective full powers, have signed the present Convention, and have affixed thereto the seals of our arms.

Done at London, the 13th day of August 1814.

(L. S.) CASTLEREAGH.
(L. S.) H. FAGEL.

FIRST ADDITIONAL ARTICLE.

In order the better to provide for the defence and incorporation of the Belgic provinces with Holland, and also to provide, in conformity to the Ninth Article of the Treaty of Paris, a suitable compensation for the rights ceded by his Swedish Majesty under the said Article, (which compensation, it is understood, in the event of the above re-union, Holland should be liable to furnish in pursuance of the above stipulations); it is hereby agreed between the High Contracting Parties, that his Britannic Majesty shall take upon himself, and engage to defray the following charges:

1st. The payment of one million sterling to Sweden, in satisfaction of the claims aforesaid, and in pursuance of a Convention this day executed with his

Swedish Majesty's Plenipotentiary to that effect, a Copy of which Convention is annexed to these Additional Articles.

2dly. The advance of two millions sterling, to be applied, in concert with the Prince Sovereign of the Netherlands, in aid of an equal sum to be furnished by him towards augmenting and improving the defences of the Low Countries.

3rdly. To bear, equally with Holland, such further charges as may be agreed upon between the said High Contracting Parties and their Allies, towards the final and satisfactory settlement of the Low Countries in union with Holland, and under the dominion of the House of Orange, not exceeding, in the whole, the sum of three millions, to be defrayed by Great Britain.

In consideration, and in satisfaction of the above engagements, as taken by his Britannic Majesty, the Prince Sovereign of the Netherlands agrees to cede in full Sovereignty to his Britannic Majesty the Cape of Good Hope, and the settlements of Demerara, Essequibo and Berbice, upon the condition nevertheless, that the subjects of the said Sovereign Prince, being proprietors in the said colonies or settlements, shall be at liberty (under such regulations as may hereafter be agreed upon in a Supplementary Convention) to carry on trade between the said settlements and the territories in Europe of the said Sovereign Prince.

It is also agreed between the two High Contracting Parties, that the ships of every kind belonging to Holland, shall have permission to resort freely to the Cape of Good Hope for the purposes of refreshment and repairs, without being liable to other charges than such as British subjects are required to pay.

SECOND ADDITIONAL ARTICLE.

The small district of Bernagore, situated close to Calcutta, being requisite to the due preservation of the peace and police of that city, the Prince of Orange agrees to cede the said district to his Britannic Majesty, upon a payment of such sum annually to his Royal Highness as may be considered, by commissioners to be appointed by the respective Governments, to be just and reasonable, with reference to the profits or revenue usually derived by the Dutch Government from the same.

THIRD ADDITIONAL ARTICLE.

The present Additional Articles shall have the same force and validity as if they were inserted word for word in the Convention signed this day. They shall be ratified, and the ratifications shall be exchanged at the same time and place.

In witness whereof, we the undersigned Plenipotentiaries have signed and affixed to them the seal of our arms.

Done at London, this thirteenth day of August, one thousand eight hundred and fourteen.
(L. S.) CASTLEREAGH.
(L. S.) H. FAGEL.

CONVENTION BETWEEN GREAT BRITAIN AND SWEDEN.] Lord Castlereagh presented, by command of the Prince Regent, a Copy of the following

CONVENTION between his Britannic Majesty and the King of Sweden, signed at London the 13th August, 1814.

In the name of the most Holy and Undivided Trinity,

His Swedish Majesty, by Article 9 of the Treaty concluded at Paris on the 30th of May last, having consented in virtue of arrangements stipulated with the Allies, that the Island of Guadaloupe should be restored to his Most Christian Majesty, and it being understood and agreed that in consideration of the incorporation of the Belgic provinces with Holland, as provided for in the Treaty of Paris, Holland should be liable to furnish, out of the colonies now in possession of his Britannic Majesty, the compensation to which his Swedish Majesty is entitled for the rights ceded as aforesaid; and whereas it has been deemed more expedient by his Swedish Majesty, and by the Prince Sovereign of the Netherlands, that in the event of such incorporation taking place as aforesaid, the compensation to be furnished by Holland, should be made in money; and his Swedish Majesty having agreed to accept the sum of 24 millions of livres in full satisfaction of his said rights: and his Britannic Majesty, as the friend and ally of both Powers, being willing to become answerable to his Swedish Majesty for the due and punctual discharge of the said compensation, their said Majesties have resolved to enter into engagements accordingly, and have for this purpose nominated as their Plenipotentiaries, namely, his Majesty the King of the United Kingdom of Great Britain and Ireland, the right honourable Robert

Stewart, viscount Castlereagh, one of his said Majesty's most honourable Privy Council, Member of Parliament, Colonel of the Londonderry regiment of Militia, Knight of the most noble Order of the Garter, and his principal Secretary of State for Foreign Affairs, &c. &c.; and his Majesty the King of Sweden, the Sieur Gotthard Maurice de Rehausen, his Envoy Extraordinary, and Minister Plenipotentiary to his Britannic Majesty, Colonel in his Armies, Commander of his Order of the Polar Star, and Knight of the Order of the Sword; who, after having exchanged their full powers, found in good and due form, have agreed to the following Articles:—

Art. 1. His Britannic Majesty agrees to pay, and his Swedish Majesty to accept the sum of 24 millions of livres, in full discharge and satisfaction of his claims under Article 9 of the Treaty of Paris. The said sum to be payable in London to his Swedish Majesty's minister, according to the rate of exchange between London and Paris at each time of payment, in twelve equal monthly instalments: the first monthly instalment to become due and payable by his Britannic Majesty one month after the ratification of the Treaty, by which the said Belgic provinces shall be incorporated with Holland as aforesaid.

Art. 2. It is agreed and understood, that the above arrangement being contingent upon the due execution of the engagements contained in the Treaty of Paris, his Swedish Majesty's rights to compensation from his Britannic Majesty and his Allies, shall not be prejudiced by any failure or non-fulfilment of the engagements in question, but shall continue in full force and effect, unless otherwise satisfied, as if this Convention had not been made.

The present Convention shall be ratified, and the ratification shall be exchanged at London within one month from the date hereof, or sooner, if possible.

In witness whereof, we, the undersigned Plenipotentiaries, in virtue of our respective full powers, have signed the present Convention, and have affixed thereto the seals of our arms.

Done at London, this 13th day of August, in the year of our Lord 1814.

(L. S.) CASTLEREAGH.
(L. S.) G. M. DE REHAUSEN.

CONVENTION BETWEEN GREAT BRITAIN, THE NETHERLANDS, AND RUSSIA.] Lord Castlereagh also presented, by command of the Prince Regent, the following

Substance of a CONVENTION between his Britannic Majesty, the King of the Netherlands, and the Emperor of Russia, respectively.—Signed at London, May 19, 1815.

His Majesty the King of the Netherlands, being desirous, upon the final re-union of the Belgic provinces with Holland, to render to the Allied Powers who were parties to the Treaty concluded at Chaumont on the 1st of March 1814, a suitable return for the heavy expense incurred by them in delivering the said territories from the power of the Enemy, and the said Powers having, in consideration of arrangements made with each other, mutually agreed to wave their several pretensions under this head in favour of his Majesty the Emperor of All the Russias; his said Majesty the King of the Netherlands has thereupon resolved to proceed immediately to execute with his Imperial Majesty, a Convention to the following effect, to which his Britannic Majesty agrees to be a party, in pursuance of engagements taken by his said Majesty with the King of the Netherlands, in a Convention signed at London on the 13th day of August 1814.

In consequence thereof, the three said High Contracting Parties have appointed as their Plenipotentiaries, viz. his Majesty the King of the United King of Great Britain and Ireland, the right hon. Robert Stewart, Viscount Castlereagh, Knight of the most noble Order of the Garter, one of his said Majesty's most honourable Privy Council, Member of Parliament, Colonel of the Londonderry regiment of Militia, principal Secretary of State for Foreign Affairs, &c. &c. &c.; his Majesty the King of the Netherlands, the Sieur Henry Baron Fagel, a member of the Corps des Nobles of the Province of Holland, his Ambassador Extraordinary and Plenipotentiary to his Britannic Majesty, &c. &c. &c.; and his Majesty the Emperor of All the Russias, the Sieur Christopher Count de Lieven, Lieutenant-general of his armies, his Aide-de-Camp General, his Ambassador Extraordinary and Plenipotentiary to his Britannic Majesty, Knight of the Orders of St. Alexander Newsky, of St. George of the the third class, Grand Cross of St. Vladimir of the second class, of St. Anne of the first class, Commander of the Order of St. John of Jerusalem, Knight of the Prussian Orders of the Black and Red Eagles, and Commander Grand Cross of the Swedish Order of the Sword, &c. &c. &c., who, after having mutually exchanged their full powers, found in good and due form, have agreed upon the following Articles:—

Art. 1. His Majesty the King of the Netherlands hereby engages to take upon himself a part of the capital and arrears of interest to the 1st of January 1816, of the Russian loan made in Holland, through the intervention of the house of Hope and Co. in Amsterdam, to the amount of 25 millions of florins, Dutch currency; the annual interest of which sum, together with an annual payment for the liquidation of the same, as hereinafter specified, shall be borne by and become a charge upon the kingdom of the Netherlands; and his Majesty the King of the United Kingdom of Great Britain and Ireland engages on his part to recommend to his Parliament to enable him to take upon himself an equal capital of the said Russian loan, viz. 25 millions of florins, Dutch currency, the annual interest of which sum, together with an annual payment for the liquidation of the same, as hereafter specified, shall be borne by and become a charge upon the Government of his Britannic Majesty.

Art. 2. The future charge to which their said Belgic and Britannic Majesties shall be respectively liable, in equal shares, on account of the said debt, is to consist of an annual interest of 5 per cent. on the said capitals, each of 25 millions, together with a sinking fund of one per cent. for the extinction of the same; the said sinking fund being subject, however, to be increased on the demand of the Russian Government, to any annual sum not exceeding three per cent., the same to be payable till the capital of the said debt shall be fully discharged, when the aforesaid charge for interest and sinking fund shall wholly cease to be borne by their said Belgic and Britannic Majesties respectively.

Art. 3. Their said Belgic and Britannic Majesties respectively bind themselves, on or before the usual day, or days in each year, on which the interest on the said debt shall be due and payable, to deposit with the agent of the Russian Government in Holland, their respective proportions of the said interest and sinking fund, as above specified; provided always, that previously to the advance of each successive instalment so to be paid, the said agent shall be authorized to furnish a certificate to each of the said two High Contracing Parties, declaring that the preceding instalment has been duly applied in discharge of the interest, and in reduction of the principal of the said debt, together with the corresponding payments, on account of the Russian Government, on that part of the debt which shall remain a charge on the said Government.

Art. 4. The Russian Government shall continue as heretofore to be security to the creditors for the whole of the said loan, and shall be charged with the administration of the same; the Governments of the King of the Netherlands, and of his Britannic Majesty, remaining liable and bound to the Government of his Imperial Majesty, each for the punctual discharge, as above, of the respective proportions of the said charge.

Art. 5. It is hereby understood and agreed between the High Contracting Parties, that the said payments, on the part of their Majesties the King of the Netherlands, and the King of Great Britain as aforesaid, shall cease and determine, should the possession and sovereignty (which God forbid) of the Belgic provinces at any time pass or be severed from the dominions of his Majesty the King of the Netherlands, previous to the complete liquidation of the same.

It is also understood and agreed between the High Contracting Parties, that the payments on the part of their Majesties the King of the Netherlands, and the King of Great Britain as aforesaid, shall not be interrupted, in the event (which God forbid) of a war breaking out between any of the three High Contracting Parties, the Government of his Majesty the Emperor of all the Russias being actually bound to its creditors by a similar agreement."

HOUSE OF LORDS.

Monday, June 12.

OFFICES IN REVERSION.] Earl *Grosvenor* stated, that considering the advanced period of the session, it was necessary that the Reversion Bill should be brought to a second reading without delay. He had been desirous to wait till a time when he could be assured that the noble and learned lord who usually sat on the woolsack could be in the House, and he hoped that the noble lord would be able to attend before Friday; but he did not at any rate think it would be proper to postpone the second reading beyond Friday, and therefore he gave notice that he would make the motion on that day.

Lord *Ellenborough* adverted to the circumstance that the opinion of the House had been lately taken three times on this subject, and that the noble and learned lord alluded to had taken a large share in the discussions which took place on those occasions. He therefore suggested that the second reading, according to the usual courtesy shown by their lordships to each other, ought not to be proposed at a time when the noble and learned lord might not be able to attend. There were strong hopes that he would very soon be able to attend in his place; but in case he should not be there on Friday, he trusted the noble lord would not then press the second reading.

Earl *Grosvenor* agreed to name Monday instead of Friday, but stated, that considering the time of the session, he could not accede to any further delay.—The Lords were ordered to be summoned for Monday.

CONVENTION BETWEEN GREAT BRITAIN AND THE NETHERLANDS—RUSSIAN DEBT.] Lord *St. John*, after adverting to the Convention between Great Britain and the United Netherlands, which had the other day been laid on the table, stated, that there appeared in that document a stipulation, with respect to which it was desirable that their lordships and the country should have some explanation. He alluded to that part of the Convention by which we agreed, in conjunction with the King of the United Netherlands, to take upon ourselves a part of the capital and interest of a loan contracted by Russia with certain Dutch merchants. A very general impression prevailed in the country, that part of this loan was contracted by Russia for the carrying on of that war which ended in the cession of Oczakow to that Power; a measure which this country, out of its anxiety to preserve the balance of Europe, had opposed. Another part of that loan was said to have been contracted for the purpose of carrying on those operations which terminated in the subversion of the constitution of Poland. Could the noble earl opposite give the House any explanation on this point? He should be sorry, indeed, if this country were to be called upon to take upon itself the payment of debts contracted for any such purposes as those which he had mentioned; and, therefore, he was most anxious to hear from the noble earl some explanation on the subject, which would at least relieve the country from so severe a mortification. If the noble earl would have the goodness to state to the House the dates of the periods at which the loans were contracted, the House and the country would be enabled to form some judgment as to the objects for which the money was raised.

The Earl of *Liverpool* said, that he was disposed to give the noble lord and the House all the explanation on the subject which he could give; but he really did not know what were the dates of the periods at which these loans were contracted, nor with what views the debt had been originally incurred, nor did he conceive that these matters had any thing whatever to do with the merits of the question in the shape in which it at present came before their lordships. He did not mean, at this moment, to enter into any detailed discussion of that question: but the state of the case was exactly this:—The great exertions which Russia had lately made in the common cause, and the distressed state of the finances of that empire, were both well known to all Europe. An application had, under these circumstances, been made to Great Britain, to take upon itself the payment of a part of a certain debt which Russia had contracted; and from a consideration of the vast exertions which Russia had made in the cause of Europe, and the distressed state of her finances, it had been thought that the proposition was entitled to some favourable attention. On this account the ministers of the Government had thought themselves justified in taking upon themselves to recommend to the British Parliament to enable the Prince Regent to become bound for the payment of a part of the Russian debt. This might be wise policy, or it might not. He should not now enter into that question, though he was perfectly prepared to argue the point when the proper time came: but the object was merely to relieve Russia from a part of this pressure, for the reasons which he had stated, without reference to the cause for which the debt had been originally incurred, or the period when it was contracted. These were considerations which, in the view taken of the case by the British Government, had nothing whatever to do with the present question: but considering the prodigious exertions which had been made by Russia in the late campaign for the great cause in which the Allies were engaged, he did maintain, and would be ready to argue at length when the proper occasion arose, that this circumstance, combined with the actual pressure on the Russian finances, did afford a strong ground for receiving the proposition with the most favourable attention.

Earl *Grey* said, that he was very far, indeed, from being satisfied with the explanation which the noble earl had given on a subject which, under the present circumstances of the country, must be regarded as one of the greatest importance. He did not mean at this period of the session, and with the sort of attendance which he should be likely to procure, to bring forward any formal motion on the subject; but he could not suffer this opportunity to pass, the last which he should probably have for the present, without making some observations upon this lavish expenditure of the public money, and the careless indifference which appeared in this as well as in other instances, about heaping the most enormous burthens on the oppressed and deluded people of this country. His noble friend had stated the general impression which prevailed that this debt, for the payment of part of which this country was to become bound, had been contracted for the purpose of carrying on the operations which ended in the cession of Oczakow to Russia, and he had very properly asked, whether it was possible that this nation was at last to be called upon to pay the debt incurred by that loan, which had enabled Russia to carry those measures into execution which Great Britain had opposed, on the ground of their tendency to subvert the balance of Europe. This, in his opinion, was a most material question, and one which well deserved their lordships most serious attention. But the noble earl had said, that this consideration had nothing to do with the question; and defended the stipulation on the ground of the great exertions made by Russia, and the pressure upon the finances of that country. The exertions of Russia, however, were made in a cause common to all; in a cause in which Russia was no less interested than the rest of the confederates. In the course of this long war, (for it might be considered as one continued war from 1793 down to this moment,) had the exertions of this country been inferior to those of Russia, or any other Power of Europe? This nation had made its proportion of exertion, and had suffered its full share of the burthen; and why, in a cause common to all, should it be called upon to take upon itself an additional burthen which did not properly belong to it? Look at the expenditure of the present year: it was absolutely frightful. If any credit was due to the rumours that prevailed out of doors, the loan for the present year would amount to no less a sum than 36 millions sterling. Besides this, there had been issued 18 millions of Exchequer-bills, and to all this was to be added a vote of credit of 6 millions, making in all 60 millions sterling. Let it be recollected, that this enormous sum was to be raised at a time when taxes unknown to our ancestors had been resorted to in order to raise a large proportion of the sums necessary for the expenditure of the year, and that, too, for the very purpose of keeping down the capital of the national debt; but at a time when twenty millions of war taxes were collected, a sum three times that amount was raised in the manner he had stated, making an addition to the capital of the national debt of about one hundred millions. It was absolutely impossible they could go on in this manner without speedy and irretrievable ruin. At the commencement of the revolutionary war, if he was not mistaken, the whole capital of the national debt was about 240 millions; and now, after the unparalleled burthens to which the country had been exposed in this war which had lasted ever since 1793—for during the whole period we never had really enjoyed the blessings of peace—an amount of capital was in a single year to be added to the debt, nearly equal to one half of the whole of it at the commencement of the revolutionary war? Yet under these circumstances the country was to be called upon to take upon itself additional burthens, which no consideration of justice or sound policy required that it should bear. Never were burthens imposed with less reason upon an oppressed and deluded people; and the result of such a lavish and inconsiderate expenditure must at last, he repeated, be irretrievable ruin. Besides this payment on account of Russia, there was another sum of two millions, and possibly of five millions to be paid to Holland for augmenting and improving the defences of the Low Countries; and this, too, deserved the most serious attention of their lordships. This expenditure he considered as entirely useless. If the arrangements made at Vienna had been brought under consideration, he would have contended, that the incorporation of the Low Countries with Holland was a most impolitic measure. He should have preferred infinitely to leave her colonies with Holland, and give up the Netherlands to some third power capable of defending them. But as for those sums employed in the repair of the fortresses on the frontiers, he considered them as entirely thrown away. As a measure of defence, or for any other good purpose, he considered it as perfectly nugatory. As to the advances to Holland in lieu of her colonies, he protested that if those colonies had been offered to him gratuitously he would have declined accepting them; for, instead of being an advantage to this country, he was convinced they would be only another burthen added to those with which the nation was already so heavily loaded. He did not, as he had before stated, mean to go at length into the subject; but as this opportunity had presented itself, it was impossible for him to allow it to pass without thus stating to their lordships the impression made on his mind by the papers now laid on their lordships' table, and the state in which the country was placed under these circumstances of enormous and lavish expenditure.

The Earl of *Liverpool* said, it was not his intention to go at large into this subject now; but after what had just fallen from the noble earl who spoke last, it was impossible for him not to say a few words. He had before said, and he still maintained, that the prodigious exertions made by Russia in the common cause, and the distressed state of her finances, entitled the proposition to take upon us a part of this debt to our favourable consideration. True, the exertions of Russia were made in a common cause; but let it be recollected that the exertions of Russia had gone much beyond what was necessary for her own security. After the enemy had been driven from her own territory, and at a time when she might have made peace with much less danger than any other power in Europe, she still continued, in spite of the deranged state of her finances, to make exertions chiefly in favour of the rest of Europe, such as had never been surpassed by any nation in the world. True, this country, too, had made its exertions, and had endured its burthens. No one could be more sensible than he was how much this was the case. The situation which he held necessarily gave him the means of being peculiarly able to appreciate the burthens and privations to which the nation was exposed; but it ought never to be forgotten, that during the whole of this eventful struggle this favoured country had never been the scene of foreign invasion. It had at least escaped that dreadful devastation—those tremendous calamities—with which the progress of the invader must have been attended; and when we looked at the exertions and sacrifices of Russia as compared with our own, let us consider what would have been the situation of this country if a great part of it had been occupied by the enemy; if our territory had been ravaged, and London had been laid in ashes! He was well aware of the efforts which this country had made—of the burthens which it had endured—of the privations which it had suffered during the period which the noble earl had mentioned: but it was a most erroneous view of the subject to look at it in that light merely. This country had, indeed, made exertions, and suffered much and severe privations; but let the effect of these exertions and privations be also taken into account. To what did we owe our present state of comparative security and prosperity—to what did we owe the preservation even of our existence? When we looked, therefore, at our burthens, let it not be forgotten that to our patient endurance of those burthens, to our persevering exertions, we owed the comparative security and prosperity, probably the salvation of our country. Considering, then, the vast exertions of Russia beyond her own territory, the great advantage which we derived from those exertions, and the state of the Russian finances, he would confidently submit to their lordships and the country, that the engagement of ministers was fully justified by the soundest views of policy and expediency. He admitted that it was not a claim of strict and rigid justice, but an appeal to the liberality of this country; but he trusted their lordships and the nation at large would concur with the Government in thinking, that it was an appeal which, under the circumstances, merited the most favourable attention and consideration. With respect to the sums to be advanced to Holland, their lordships would observe that only two millions were to be paid at present.—The noble earl had said, that the money expended on the frontier fortresses was thrown away: but in that respect his opinion was widely different from that of the most eminent military characters; and on a former occasion it had been urged with considerable force, that this was by far the cheapest mode in which the great interests which this country had in the protection of the Netherlands could be secured. The expense of one campaign to repair the mischief that might result from the want of these fortresses would be greater than that which would be required to put the whole of the frontier in a complete state of defence. This, therefore, was an expense which was warranted by every consideration of sound policy, and even of an enlightened economy. With regard to the colonies, they were in many respects of great importance to this country, but particularly so in this view—that they were in a great measure cultivated by British capital. Without going further into the subject at present, he trusted their lordships would be of opinion that the ministers of Government had not departed from the line of their duty, but had, upon a sound view of the whole circumstances of the case, acted in the manner best calculated to promote the permanent interests of the country.

Earl *Grey* conceived the security of which the noble earl boasted, to be good for nothing, and to be just so much money thrown away. It would have been better to have left the Sovereign of Holland his colonies, and to have given the Netherlands to some third Power, capable of defending them.

The Earl of *Liverpool* said, that the opinion of the noble earl on this subject was at variance with the opinion of the first military authorities.

NAVAL ADMINISTRATION OF THE COUNTRY.] The Earl of *Darnley* rose and said:

My lords; Under the most favourable circumstances—with public attention perfectly alive to the subject, and with all the charms of novelty to recommend it—I am not vain enough to imagine that any thing brought forward by me can have much claim to the attention of the House; but when I consider the many and unusual disadvantages under which I labour on the present occasion, I am under the necessity of soliciting a more than usual portion of your lordships' indulgence. Nothing, indeed, but a sense of duty, and the desire to appear consistent, would have induced me, at this late period of the session, with other objects of more immediate interest, and of greater importance than this (however important I may still think it) pressing upon your attention, to attempt to divert it for a moment, to the mass of papers on your table, for which I have moved in order to prove the assertions I have heretofore made, on the conduct of the late War with America, and more especially the Naval Administration of the Country. I certainly could have wished that the task of calling your attention to this subject had originally fallen into other and better hands. I am fully aware of the difficulty of doing justice to so extensive and complicated a subject; and I think I have some reason to complain that, among near a thousand members, of which the two Houses of Parliament are collectively composed, there should be found no one, but the humble individual who has now the honour of addressing your lordships, to call for an inquiry into those repeated naval disasters, which more than two years since first impelled me irresistibly to bring forward that most interesting subject.

On that occasion, your lordships, it is true, thought fit to reject my motion for inquiry; but I have the satisfaction to reflect, that your time was not altogether thrown away. I flatter myself that my attempt to direct the attention of Government more particularly to the causes of the disasters of which I complained did not altogether fail. Certain it is, that, from whatever cause, about that time they began to equip and construct a larger description of frigates, of which there are at present, as appears by one of the papers on the table, twelve in commission, whereas at that time there was not one; the Endymion, the only one in existence, not having then been fitted out. The manning, however, of ships, is of far more consequence than their construction. For I will venture to assert that the difference of a few more guns is comparatively of little importance, provided the two ships opposed to each other are upon something like an equality in the number and description of their crew. I believe, if the ships had been tolerably well manned, the three successive disasters of the Guerriere, the Macedonian, and the Java, would not have taken place. The last of these was the immediate cause of my having originally brought the subject before the House; and I cannot but recollect that the noble lord at the head of the Admiralty on that occasion stated, that at least the Java was adequately manned. In point of numbers she certainly was; but in justice to the memory of her gallant and lamented commander, I must now state, what I have lately learnt from the best authority, that the crew of the Java was of the worst possible description, composed, in the first place, of a small and weak crew of a frigate, paid off in the river, and sent to Portsmouth just before the ship sailed, and made up to the number wanted by that of a sloop of war sent home from the West Indies, for having shown symptoms of mutiny, and disinclination to fight against the Americans. Captain Lambert was so well aware of the nature of his ship's complement, that nothing but a sense of duty, paramount to every other consideration, would have induced him to go to sea with them; and he was heard to declare, that in the event of falling in with an American frigate he must inevitably be taken. Yet notwithstanding the disadvantage of such a crew, which he had not any time to discipline or arrange, in the well-fought action, which terminated in the destruction of himself and his ship, by a foe in every respect so much superior, he not only did not decline the contest, but was uniformly the assailant. Since the destruction of the Java, no disaster of the same nature has happened in the case of frigates; but many circumstances have taken place equally disastrous in the capture and destruction of sloops of war. The minutes of the courts-martial in two of these cases are on the table, in consequence of motions made by me; and your lordships will see, by referring to these documents, that in point of size and guns, and still more in the inadequacy of their crews, the British vessels had no chance whatever of success, in these unequal, though well-fought contests. In the case of the Epervier it appears that, in addition to these disadvantages, by some strange and most culpable neglect in fitting her out, the guns of this ship were so badly secured, that at the first broadside, five out of nine became unserviceable; and by referring to the sentence of the court-martial, you will find "the Court agreed, that the cause of the capture of his Majesty's late sloop Epervier, was the very superior force of the enemy, the insecure manner in which the fighting bolts of the Epervier were fitted, and the breeching bolts drawing from being badly clinched, and the inefficiency of the crew." With respect to the last, it consisted of 103 men (proved in the evidence to have been of the worst description) and 15 boys; whereas the crew of her opponent, the Peacock, consisted of 182 picked men, and only 3 boys. The other case of the Wasp and Avon terminated in the destruction of the latter, with the loss of 40 killed and wounded, out of an equally weak crew, while the American lost only 1 killed, and 2 wounded, and was apparently unhurt by the effects of the action.

These, and other disasters of the same nature, we must conclude, at length induced the Admiralty to turn their attention to providing a better and stronger description of sloops of war to cope with those powerful and well-appointed vessels of that class belonging to the United States, as they had before in the case of the frigates; but in doing so, they appear to have exceeded all the bungling and ignorance which have at all times more or less prevailed in this branch of our naval service. To prove that this has been the case, I will quote an authority to which the noble viscount must pay the greatest deference—I mean the Report of the Commissioners of Naval Revision. In their third Report they state that, "Where we have built exactly after the form of the best French ships that we have taken, thus adding our dexterity in building to their knowledge in theory, the ships, it is generally allowed, have proved the best in our navy: but whenever our builders have been so far misled by their little attainments in the science of naval architecture, as to depart from the model before them in any material degree, and attempt improvements, the true principles upon which ships ought to be constructed being imperfectly known to them, have been mistaken or counteracted, and the alterations, according to the information given to us, have in many cases done harm. From the same cause there has been infinite variety in the alterations made, and in the forms which have been adopted. The alterations being on no certain principles, no similarity in the form of the ships could be expected, and they have the appearance of having been constructed on the chance, that in the multitude of trials made, some one might be found of superior excellence. While, therefore, our rivals in naval power were employing men of the greatest talents and most extensive acquirements to call in the aid of science for improving the construction of ships, we have contented ourselves with groping only in the dark in quest of such discoveries as chance might bring in our way. Nothing certainly can be more surprising, than that in a nation so enlightened as this is, and whose power, importance, and even safety, depend on its naval superioity, matters so essential to the preservation of that superiority should so long have been neglected."—[*Signed,* Fordyce, Curtis, Domett, Serle.]

This Report was made, I think, in the year 1806; and, to prove that no amendment has yet taken place, in the construction of the two large ships, the Newcastle and the Leander, the Navy-board having procured a plan for the former ship, which they were themselves unable to furnish, and which by all accounts has perfectly answered in the construction of the latter, have, as usual, made some alteration which has spoilt the symmetry and perfection of the model. But the most curious instance of ignorance and misconduct in the construction of ships of war, that ever appeared, is probably to be found in the papers on the table; and to which I must beg the attention of the House. It seems, that before the war with America, as long ago indeed as the beginning of the year 1810, the Board of Admiralty gave directions for the building of a sloop of war to be called the Hermes, after the model of the Bonne Citoyenne, which had formerly been taken from the French, and was found to possess excellent qualities as a vessel of this class, far superior indeed to any sloops of war originally of British construction. Not having any model of our own to work from, or any men of sufficient science to furnish a plan equally good, I do not blame the adoption of this measure. But how was it carried into execution? The Hermes, when fit for sea, was placed under the command of an officer of great merit and abilities, whose case has lately been brought before your lordships by a noble earl (Egremont); and in consequence the Admiralty have restored him to his rank, of which he appears to have been deprived, without sufficient reason, by the sentence of a court-martial; and are about, I trust, by employing him again, to make him farther amends for the injury he has sustained. It appears by the correspondence between captain Browne and the Admiralty and Navy Boards, that as usual the model was altered and spoilt. The Navy Board at first assert positively, as appears by the Report on the table (see Letters of the 4th of October, 1811,) that the new ship is built by the lines of the old one, and precisely similar; but afterwards, when pressed on the subject, they confess, that they had given her greater width in the after-part, at the wing transom; the consequence of which was, that although when light, the Hermes sailed well (for then the lines of the Bonne Citoyenne took effect), as soon as the increased width touched the water, she could not sail at all; and in other respects her construction was so faulty, that nothing but the skill and exertions of her commander could have rendered her an effective man of war: that, however, she became, notwithstanding her faulty construction, and was one of the very few in the British navy, in any way likely to be capable of contending on equal terms with the American ships of the same class. Another ship was then ordered to be built after the same model, to be called the Myrmidon, whose captain informs us in a letter on the table, of a recent date, that though intended to resemble the Bonne Citoyenne, she is unlike her in every respect. It appears, also, that among the alterations suggested by captain Browne in the Hermes, one was to lower the deck forward, or to raise it abaft. In the Myrmidon the surveyors of the navy did both, and thereby equally spoilt the ship.

We come now to the remaining fourteen ordered to be built on the same lines, but of reduced dimensions. The credit of these precious vessels belongs, as I have been told, rather to the Admiralty than to the Navy Board; but, be that as it may, it appears clearly that they never have been, and never can be, with all the bungling expedients and alterations that have been resorted to, efficient men of war, so that their cost (which, exclusive of alterations, amounts to between two and three hundred thousand pounds) has been absolutely thrown away. But that is not the worst; for the attempt to use these vessels, puts in perpetual danger the lives of our brave officers and men, and the honour of the British flag. If your lordships will take the trouble of reading these papers, you will find that some captains complain of one thing, some of another. In general they think them over-masted. One officer is of a contrary opinion, and wants larger masts and yards. But one thing, of which frequent notice is taken, appears quite sufficient to account for their bad qualities. The size of these vessels was considerably reduced, and yet they are fitted with the same guns and weight of metal as the larger vessels. At first, indeed, the Board ordered them to carry two guns more; till one of the officers commanding represented that with only 20 ports he could not mount 22 guns. But it is obvious, that if a certain weight of ordnance was just sufficient for a ship of 500 tons, it would be too much for one of 450; and that, in this case, as in all others, the ignorant attempt of partial alteration had destroyed the symmetry of the machine, and utterly spoilt it. One of these ships, the Lee, was in March last nearly lost, and with difficulty escaped, by throwing over-board her guns in a gale of wind; and after this severe trial her captain earnestly recommends that she should be armed with 24 instead of 32 pound cannonades, which he deems "far too heavy for her;" and although this suggestion of the captain was supported by the recommendation of the Navy Board, the captain is threatened to be superseded if he does not choose to go to sea in the ship—or, in other words, for doing his duty by stating that these wretched craft were unequal to their weight of guns. In short, whoever will take the trouble of looking into the details which the papers furnish on the subject of these vessels, will find that a stronger case of mismanagement and waste of public money never was presented to Parliament. This miserable attempt to provide a number of vessels of adequate qualities to cope with the powerful American sloops of war, has utterly failed; and at this moment, after all the experience and warning we have had, there are not more than two or three vessels of that description in the British navy. For I repeat what I have before asserted, that a very large proportion of the smaller vessels of war, which by the accounts on the table appear to have been in commission at the close of the contest with America, were utterly useless for any purpose except that of patronage. The list of sloops of war amounts to 173. The best of these were, in point of force, and still more from the inefficiency of their crews, unequal to the adversaries they had to encounter, as has been abundantly proved by the minutes of the courts-martial on the table, as well as by other instances. But 72 of this number being of a small size under 16 guns, could, as ships of war, be of no use whatever; and served only to occupy 4,000 seamen, exclusive of officers; which, if they had been judiciously distributed, to strengthen the more effective ships, would, in all probability, have prevented those disasters of which the country has so much reason to complain.

On the subject of the warfare in the lakes of Canada, I must beg the House to recollect, that, on the first day of the session, the noble viscount boldly asserted, that it would be found on inquiry, that every thing necessary to carry on those naval operations with vigour and effect, was not only supplied, but amply supplied by the Government at home, and generally (I think he added) in a twofold degree. But how does the correspondence on the table substantiate this assertion, imperfect as I believe it to be, and without those earnest and repeated applications which I understand were made by sir James Yeo, for men, and supplies of every description? But this correspondence between the Government in Canada and his Majesty's ministers, abundantly proves that the frequent disasters were occasioned by the want of adequate means. At the commencement of the war (August 26 1812) sir George Prevost informs you, that the British force was decidedly superior on all the lakes. In less than a year (on the 24th of July, 1813) he tells you, "the United States have acquired a decided superiority on Lake Ontario;" and an equally decided superiority on Lake Erie was too fatally proved by the disaster of the gallant and unfortunate captain Barclay. The details of this transaction are in the papers before the House; and every part of them prove most decidedly the total want of every thing necessary to constitute an adequate naval force. The whole squadron had not more than 50 British seamen, while that opposed to it appears to have been perfectly well manned and equipped, and superior in sailing and efficiency of every description.

Amongst the attempts made by Government to remedy the want of an adequate force to cope with the Americans on the lakes, the building of two frigates and two sloops at Chatham,—to be again taken to pieces, sent across the Atlantic, landed at the mouth of the St. Lawrence, and taken up the rapids to Lake Ontario, to be built there a second time,—is not the least curious. It appears by the papers on the table, that on the spot the plan was at once deemed impracticable; and although, by the zeal and exertions of an individual, one of the ships was actually conveyed to its place of destination, and there altered and launched, the three others were disposed of—we are not informed how; nor are we told what the expense of this senseless project has been to the nation.

Just at the close of the war we recovered, it is true, our superiority on Lake Ontario, by the equipment of a three-decker. But how was this effected? Not by any forethought or provision made by the Government at home, but by the accidental arrival of some men of war on the coast of America, with part of the Duke of Wellington's army, after the conclusion of the war with France, which furnished their stores just in time to enable sir James Yeo to fit out the large ship, which, but for this accidental supply, could not have been brought forward before the winter. Some of these ships furnished anchors and cables and other necessary stores, and the Centaur her lower-deck guns; without which the new ship could not have been effective; and her being rendered so, in the opinion of sir James Yeo, as I have been informed, saved the province of Upper Canada.

On the subject of the military operations in the late war with America, I shall say little; and it is but justice to acknowledge that our gallant army, on every occasion, maintained its high reputation; even in that concluding scene, in the ill-judged and ill-fated expedition to New Orleans. On this subject I must observe, that no disaster in the history of this country ever called more loudly for inquiry into the conduct of the authors and projectors of the plan. It seems to have been originally undertaken without any object but that of plunder; and it is difficult to imagine what national advantage could have arisen, or how the great objects of the war could have been materially promoted by complete success. Its complete failure was calamitous indeed, attended by a heavy loss of the gallant and victorious followers, and of the companion and brother of the illustrious Wellington himself. And yet such was the total absence of all public feeling or attention, even when the intelligence first arrived, that, I am ashamed to say, I really believe, the paltry occurrence of the breaking of my windows, and those of the noble and learned lord on the woolsack, which happened about the same time, occasioned a greater sensation. How then can I, at this distance of time, hope to call the attention of this House and the public to this fatal and disgraceful transaction? But it was impossible altogether to pass over what appears to me to form a most prominent feature in the misconduct of the late war.

But, my lords, to return to the conduct of the Naval Administration, which is my principal object,—it appears to me, that however you may be disposed to forget the late war with America, and to think all retrospective inquiry inexpedient and unavailing, you cannot shut your eyes to the importance of considering, whether the naval service of the country is well or ill conducted. On the subject of the construction of our men of war, I have endeavoured to call your attention to a very flagrant case of misconduct, detailed in the papers on your table. But this is by no means the only case of a similar nature. In the naval administration of the noble earl now at the head of the ordnance (earl Mulgrave), a great number of 74-gun ships were built, which, as I hear, are familiarly known in the navy by the name of the Forty Thieves. The plan and construction of these ships were faulty in the extreme; and they never could have been good men of war, if they had been composed of good materials; but the execution was, if possible, worse than the plan, and many of them showed immediate symptoms of premature decay, and the necessity of great and expensive repairs before they had been many months at sea. The original cost to the nation of these 40 ships cannot have been so little as four millions; and I fear very few of them would be found at this moment in any respect effective men of war.

The Queen Charlotte, a first rate, is well known to have been found in so defective a state, as soon as she was launched, that it became necessary, before she could be sent to sea, to repair her, or rather, it may be said, to build her over again at an expense (as I have been informed) of 70,000*l.*

With these and many such facts before us, can it be stated, that the faulty consrtuction and premature decay of our men of war is not a fit object of the most serious inquiry? On the important subject of the preservation of timber for naval purposes, I have heretofore troubled your lordships. In the last session I presented a petition from captain Layman on the subject of a discovery, which he states has been made by him, of a method to increase the strength and duration of timber. Captain Layman is a very intelligent and well-informed man; and as an officer, he has the highest testimony, that of the illustrious Nelson, in his favour. But whatever his personal claims to attention may be, his alleged discovery must be admitted to be of the utmost importance, and well deserving the consideration of Parliament. There are many other topics connected with this subject of the navy, on which neither the patience of the House, nor the present state of my health (which almost incapacitates me from addressing your lordships at all) will permit me to enlarge. I cannot, however, sit down without briefly adverting to some of them. Perhaps the most injurious consequence of the naval disasters we have experienced in our late contest with the United States, has been the moral effect produced by them on the minds of our seamen. Doomed as they have been, in so many instances, to certain defeat, it is impossible that their minds should not have been alienated from the service, and disgusted by the manner in which their lives have been sacrificed in unavailing contests with such superior force. I have, indeed, heard that great disinclination to serve in these inefficient sloops of war has been manifested, and frequent desertions have been the consequence.

Amongst other reforms, which it appears to me the naval service requires, the constitution of courts-martial ought not to be forgotten. It certainly should seem by some late instances that have come before the public, that the sentence is sometimes at variance with the evidence and the law of the case. That to which I have before alluded, appears to have been unwarrantably severe; and the conduct of the Admiralty in restoring to his rank the officer condemned, shows they were of the same opinion. But I have seen lately another case of a contrary description, where too much lenity appears to have been shown; where the evidence established proofs of the most deliberate and cruel murder. I forbear to particularize; but the noble viscount knows the case to which I allude, and I think it of the utmost importance that British seamen should be well assured that they can never be ill-treated with impunity; but that the most strict and impartial justice should punish every case of cruelty or oppression. These cases, I will admit, are extremely rare. There is perhaps no body of men equally numerous so free from blame, in this respect, as the officers of the navy. They are, for the most part, as humane as they are brave; but there will be always amongst a great number of human beings, some of a contrary description; and these should be restrained by the strong and impartial arm of the law, and the certainty of punishment.

Although I am ready to admit that Government has not been regardless of the just claims of the navy, and has shown a disposition to improve the condition both of officers and men, on this head much still remains to be done; and I think the navy have a right to expect that no less favour should be shown to them than to the army, which in several points is not the case. For instance, the widow of a naval officer, when she applies for her pension, is obliged to swear, that she derives no emolument from any other source whatever; whereas the widow of an officer of the army proves only, that she receives no other emolument from Government.

My lords; it appears to me too much the practice of the present day to strain every nerve to make this country a great military power; which, in my judgment, it can never become advantageously to any great degree; but must mainly depend for its security and greatness on its naval strength. This is the natural foundation of the power and glory of the British empire; and on this basis our principal security must ultimately rest. It is true, the contest in which we are unfortunately engaged, assumes at present almost exclusively a military character; but if it should be protracted (and even the most sanguine cannot deny the possibility of such an event), we shall have to contend not only with the naval power of France, but, in all probability, with that of America also. A state of war in Europe can scarcely fail to bring forward again those questions of neutral rights and blockade which have not been decided by the peace; and their successes in the late war will tend greatly to encourage the

Americans to renew the contest. In this point of view an inquiry into the state of our naval affairs must be deemed an object of the highest importance; but, for the reasons I have before stated, it is not my intention at present to urge it.

I am fully aware of the very imperfect manner in which I have discharged the duty I had imposed on myself of bringing the subject before your lordships; and nothing but a paramount sense of duty, and a desire not to appear to act with levity or inconsistency, in leaving the documents for which I had moved under more promising circumstances unnoticed on your table, would have induced me at this time to trespass on the patience of the House. The noble earl concluded with moving, That the House do now adjourn.

Viscount *Melville* said, he should leave it to the House to decide whether the noble lord had made out a grave case against the naval administration of the country, and should content himself with noticing only a few of the most prominent topics of the speech they had just heard. The first charge brought against the Admiralty was, that of neglect in not fitting out a class of vessels able to cope with those of America. With regard to this he would observe, that it had always been the system of the British Admiralty to adapt our ships to the nature of those with which they had to contend; but it could not be supposed that the whole system of our navy could at once be changed in order to meet a few American frigates of a larger size than any vessels that had ever gone under that name. The fact was, that the Admiralty had fitted out two or three vessels of this class, but it was impossible to cover the seas with them, so as to meet the American vessels wherever they were to be found. With regard to the noble lord's statement, as to the deficiency of the Java's complement, it was the first time he had ever heard of it, and he believed it to be totally unfounded. With regard to the capture of that frigate, he thought it no disgrace in a ship of inferior force being obliged to yield to another that was greatly its superior. The same general observation was applicable to the capture of some of our sloops of war. The Americans had three or four heavy vessels of this class, and it so happened that they fell in with some British sloops of inferior size, when the result of the contest was unfortunate. But the noble lord had not adverted to the captures of American merchantmen and men of war by the British navy, by which their commerce had been almost annihilated, and by which the honour of the British flag had been upheld. The noble lord complained, that adequate attention had not been paid to skill in ship-building by the British Admiralty. It might be said, however, that this country had become the first naval power in the world, and that no nation could send to sea and keep at sea the same number of valuable and useful ships. From the number of our distant settlements, it was absolutely necessary that we should have large and roomy ships, capable of great stowage, and of keeping the sea for a long time; we could not, therefore, generally imitate the light American schooners, that were calculated rather for expedition than for those purposes to which our navy must generally be applied. Measures had been adopted to remedy that deficiency in ship-building skill which had been complained of, and he trusted that they would soon remove all ground of complaint. The noble viscount next adverted to the complaints of the inadequate protection of our trade, which he contended to be without foundation. They had heard of American privateers infesting our coasts, and committing depredations even in our creeks and harbours. He would assert, that the complaints on this head were grossly exaggerated; and when the merchants who made them were asked for their authority, they could assign no other but that of newspaper reports. He would repeat what he had stated on a former occasion, that it appeared from the books at Lloyd's, that the number of captures last year in the European seas as far as the Canaries, amounted to 172. Of these the whole number of coasters captured was 13, while of running ships, and those that deserted convoy, the number was 94. The fact was, that many captains of merchantmen, on hearing of the termination of hostilities with France, ventured a run without convoy. This was peculiarly the case with those from the Mediterranean; and off Cape St. Vincent's they were exposed to American privateers. He could add, that the report of several captures, which appeared in the newspapers, was totally unfounded. Of this description was that of a vessel said to be taken in Dublin bay, and also the reported capture of the Blazer gun-brig off the coast of Ireland.—The next topic to which he should briefly advert, was the conduct of the war on the lakes of America. The noble lord asserted, that our disasters there arose from inadequate supplies: but perhaps there was no one circumstance more surprising than the extent of the naval exertions that were made in that quarter. For every seaman, shipwright, cable, and every article of military equipment, sent out from this country, the Americans could with facility supply double the number; and yet the war ended with an acknowledged superiority on our part on the principal lake —a superiority so decided, that the enemy durst not venture to come out to meet us. The noble lord had insinuated that desertion had latterly increased in the British navy, from the moral effects of American success. He would utterly deny the assertion; for the fact was, that desertion had greatly decreased; and it was a circumstance most honourable to the character of British seamen, that it was almost unknown on the lakes, where they were engaged in a species of service the most laborious and anxious, without hope of prize-money, and where strong encouragements to desertion had been held out by the enemy. If any one circumstance had more than another engaged the attention of the Board of Admiralty for years past, it was that the seamen should have no just ground of complaint as to their treatment; and he would venture to say, that there was not a seaman in the navy that was worth his victuals, who would assert the contrary. The noble viscount next proceeded to make a variety of observations on the state of the dockyards, in the course of which he said, that there was now a constant supply of well-seasoned timber for the purpose of ship-building, and that no necessity now existed for resorting to the merchants' yards. He concluded by opposing his negative to the present motion.

Lord *Rolle* rose to express his opinion that a weaker case had never been brought before the House, particularly as contrasted with the voluminous mass of papers that had been moved for in support of it. He could assure the noble mover, that he would never vote for his being made first lord of the Admiralty.

The Earl of Darnley replied; after which his motion was put, and negatived. The Bills on the table were then passed through their various stages, and the House adjourned.

HOUSE OF COMMONS.

Monday, June 12.

NEW POST-OFFICE BILL.] The order of the day for the further consideration of the report of the Post-office Bill, having been read, Mr. Lushington moved, "That the Bill be now re-committed."

Mr. *H. Sumner* then rose, and stated the objections he had uniformly advanced against the re-building of the Post-office, on the contemplated plan, since the measure was first agitated. He apologised for being absent when the subject was last discussed. The reason of which was, that, as it stood amongst the orders, and a great variety of notices preceded it, on a day when the notices were to come on first, he had no idea that the subject would have been discussed on that evening. Many of the notices were, however, deferred, for the purpose of then considering the Bill—a proceeding which he did not think fair or candid. With respect to the mode in which the expense of erecting the new Post-office was to be defrayed, it appeared to him to be in the highest degree unjust. All taxation should be as general as possible; and, except in cases of local improvement, this principle ought never to be deviated from. But, in the present instance, the citizens of London, and the inhabitants of some of the adjacent counties, would be taxed for a public work, from which they would derive no more benefit than the other subjects of the empire. He never could agree to charge, on the Orphans' Fund, any part of the expense of the new building. That Fund was placed under the management of the corporation of London; and he was one of those who did not much admire the way in which they had discharged the trust committed to them. No less than 900,000*l.* had been subtracted from that Fund, and appropriated to that for which it was never intended. The bonds issued to raise 600,000*l.* of that sum, bore a discount of 16, 18, and even 20 per cent., so that in raising the money, the public had sustained a loss of not less than 160,000*l.* The works which the City had caused to be executed, and which were to be defrayed out of this Fund, were not entitled to approbation. Blackfriars Bridge had been open about 43 years, and it was now in such a state of decay, that, unless 40 or 50,000*l.* were laid out in necessary repairs, it would not probably last for twenty years more. How ill Newgate was adapted to the purposes for which it was erected, was a complaint made by every person who examined it. That building cost 95,000*l.*; and the committee of that House, lately appointed to examine the state of the gaols in the metropolis, observed, in their report, that it was much to be lamented so large a sum had been so ill applied. In his opinion, the Orphans' Fund, placed as it was, under the direction of the corporation of London, was a perpetual source of job to many of the officers connected with that corporation. The hon. gentleman then adverted to the accounts of the balances of the Orphans' Fund, which had been laid before the House, and which, he expressed his belief, were not correct. He denied the necessity of having a collector of the coal duty in the port of London—although the person who filled the situation, he admitted, was very moderately paid, having only 150*l.* per annum. But where there was a chamberlain, into whose hands the money ought to be paid, he could not see the prudence of allowing balances to accumulate in the hands of another person.

Sir *James Shaw* defended the city of London from the imputations attempted to be cast upon it by the hon. gentleman who had spoken last, and repeated the arguments which he had urged on former occasions in favour of this Bill. He considered the Orphans' Fund could not be better applied than in the erection of a new Post-office, which would not alone prove beneficial to the city of London itself, but to the country at large, from the great facility which would be given in the transaction of public business in this department.

Mr. *Grenfell* considered that his hon. friend was entitled to considerable praise for the zeal which he had displayed in his opposition to this measure. He could not agree, however, in the comments which he had made on the hon. alderman opposite (sir W. Curtis), whose conduct he considered as having been unobjectionable in every sense of the word, as far as regarded his duty of collector of the duty on coals.

Sir *W. Curtis* defended himself from the charge which had been brought against him, and submitted, that the compensation which he received for the trouble of collecting the duties on coals was far from being too liberal. There were many situations in which collectors received 5*l.* per cent. for the execution of their duties, whereas he received but two-pence in the pound, and he was responsible for very considerable sums. With respect to the course taken by the city of London in the appropriation of the Orphans' Fund, he thought they could not do better than in appropriating it to the improvement of their streets.

Mr. *Baring* was convinced that whatever the hon. baronet had had to do with the Orphans' Fund, had, like every other transaction of his life, been conducted with the strictest honour. But he could not let the subject pass without again entering his protest against the wanton and unnecessary expenditure of money on the building of the new Post-office. There was no doubt that it was intended to prolong the duty upon coals, in order to replenish the Orphans' Fund, and make up for the money to be taken from it. The city of London imposed these duties not only upon the city of Westminster, but also on the country for thirty or forty miles round; and this tax, altogether objectionable, was laid upon people who had no interest in the improvements to which it was applied. The hon. gentleman then repeated the objections he had made against the Bill in its different stages. It seemed as if the Treasury overflowed with money, and that Government was looking about to see how it could be expended. Something between 80,000*l.* and 90,000*l.* had been spent upon the present Post-office within the last ten years; and before much of the mortar was hardly dry, the same persons who had thus enlarged it, came to parliament to apply to have it pulled down and rebuilt, at an expense of 600 or 700,000*l.* The buildings as they now stood were in good repair, and perfectly adequate to the purposes to which they were devoted. The hon. gentleman concluded with moving, as an amendment, that instead of 'now,' the House should go into the committee 'this day three months.'

The House divided: For the amendment, 35; Against it, 85—Majority, 50.

The House then went into the committee, when Mr. H. Sumner proposed an amendment to the clause relative to the committee for superintending the building. It was, that instead of the names of the Lord Mayor, Aldermen, and Common Council of the City of London, be substituted those of the members for London, Westminster, and the four counties of Middlesex, Surrey, Essex, and Kent. On this a division took place: For the amendment, 15; Against it, 62—Majority, 47.

The committee proceeded to go through the remaining clauses.

Mr. *Sumner* observed, that it would be proper to restrict the power of purchasing buildings, which was now given to the public for five years. He thought they should be obliged to decide in eighteen months what buildings or ground they would purchase, and to complete the purchase within six months after.

Mr. *Gordon* observed, that there was no clause in the Bill to insure the competition of architects in preparing estimates.

The *Chancellor of the Exchequer* said, that it was for the Treasury to procure a plan by competition between the architects, but he did not intend to propose the insertion of a clause to that effect in the Bill. Before Parliament met again, it might be in the power of the Government to select the plan and submit it to the House.

Mr. *Sumner* thought that the House should see the plan and estimate before the money was voted.

Mr. *Butterworth* observed, that a fair estimate, founded on the size of the proposed area, had been given in.

Mr. *Bankes* thought the proposed area was much larger than necessary.

Mr. *Sumner* said, that he always suspected, and still did suspect, that there was some abominable job lurking in the back ground. When an area was purchased so much larger than the necessities of a post-office required, he did suppose that the object was to build elegant houses for the persons employed in the Post-office. When he endeavoured to get information for the committee on this subject, the constant answer was, that almost every office he could mention must be on the ground floor, or there might be a most serious public inconvenience. He had even asked, was it absolutely necessary that the room in which the coachmen's great coats were left should be on the ground floor, and he was told that it was necessary. The consequences that he expected to follow were—that after a very great area of ground was bought, and covered with all the necessary offices for carrying on the business of the Post-office on the ground floor, it would then be proposed to fit up elegant apartments over them, for the accommodation of those persons to whom it was wished to afford this accommodation.

Upon the clause for appointing commissioners to superintend the clearing of the ground,

Mr. *Sumner* observed, that the value of the materials of the houses purchased for this area would be about 60,000*l.*, of which the Orphans' Fund ought to be given credit for its proportion. He understood that all this was to be applied to making a new great sewer. Now he could not see, if a sewer was necessary in this part of the town, why it should not be made at the expense of the parishes, or why it should be thrown on the Orphans' Fund.

Upon the clause, that the sum of 240,000*l.* should be granted by Government for the purposes of the Act,

Mr. *Sumner* declared, that he was not one who found fault with the right hon. gentleman for raising 36,000,000*l.* for carrying on the war. He considered it as a choice of two evils, and was decidedly of opinion, that it was better to engage manfully in the contest at this moment, than to labour under more disadvantages twelve months hence. He thought it better to make the effort at once, and give his concurrence most cordially to the policy that was about to be pursued. At the same time, however, it was painful for him to find many grievous and unnecessary burthens brought into the account; he considered it quite unnecessary to vote so large a sum of money for building a new Post-office, whilst the country was groaning and dying under the anticipation of future taxation. He objected to every superfluous expense, and must, therefore, resist this clause.

The *Chancellor of the Exchequer* thought it more manly to bring forward the expenses at once. It was not to be understood, that the whole of the money would be wanted immediately, but power was given to provide for the charges, as they should be required from time to time.

Mr. *Sumner* maintained, that a progressive vote would manifest a due and proper attention to the expenses of the country, under existing circumstances. It would show a wish on the part of Government to reduce the expenditure as much as possible.

Mr. *Gordon* could not understand that it was absolutely necessary to build a new Post-office this year, as the business had been hitherto conducted with so much ability. He trusted, therefore, that his hon. friend would press a division on this clause.

The House divided: For the Clause, 48; Against it, 14;—Majority 34. The House resumed, and the report was ordered to be received to-morrow.

CONVENTION WITH THE KING OF THE NETHERLANDS.] The Substance of the Convention between his Britannic Majesty, the King of the Netherlands, and the Emperor of Russia, respectively, signed at London the 19th of May 1815; the statement of the capital, interest, and sinking fund of that part of the Russian debt in Holland, to be provided for by Great Britain, in pursuance of the Convention of the 19th May 1815, having been referred to the consideration of a committee of the whole House,

Lord *Castlereagh,* in rising, pursuant to the notice he had given, said, he was desirous of carrying the feelings of the committee back to that period at which the independence of Holland was restored. At that auspicious moment he was sure but one sentiment pervaded the country, and nothing could have been less congenial with it, than for ministers to have exercised the rights of war with respect to the colonies of Holland, after the deliverance of that country from the hands of the enemy. It would have been in opposition to the feelings of the nation to have treated Holland in any other respect than as a country with which it was our object to maintain the most friendly relations; and, much as he should have lamented if an amicable arrangement could not have been made by which England could retain the Cape of Good Hope, which was so important to this country from its connexion with our territories in the East, and reluctant as he should have been to have lost any opportunity of placing so large a mass of British property as was contained in the islands of Berbice, Demerara, and Essequibo, permanently under the protection of the Crown of England; much as he should have regretted such important cessions, still would he have been content to forego all the benefits of retaining them, rather than have failed to act with friendly liberality towards Holland. It ought not to be disguised, that though France might have overrun Holland from the lust of conquest, much of the misery which had fallen on that unfortunate country, had been inflicted on account of the attachment it had cherished for England. This feeling, so difficult to extinguish, has never ceased to manifest itself; and it was possible that but for this, Holland might for a longer time have escaped the storms by which she was overwhelmed. If he was right in supposing, that from the period at which we had the satisfaction of witnessing the restoration of Holland, there was no disposition to exercise the rights of war harshly against her, he trusted the arrangement he had now to bring under the consideration of the committee, would be approved as consonant with the true policy of England, and as fair and liberal with respect to Holland. There were three points to which he should now address himself: First, the sum proposed to be given to Sweden in consideration of the abandonment of her claims on the island of Guadaloupe: Second, the grant for the fortifications of the Netherlands: And, thirdly, the advance to be made in favour of Russia on account of a loan raised in Holland. The arrangements which had been made, and for which he was about to call upon them to provide, it was proper to observe, had all been made independent of the present circumstances of Europe, and would all have been to be submitted to Parliament, had no new occasion called for their co-operation with this country in a struggle against the power of France. It would be recollected that the island of Guadaloupe had been ceded to Sweden by this country. Our right to it had been transferred to Sweden, though no positive guarantee had been entered into that she should continue to possess it after war should be at an end. We, however, were certainly bound to support her pretensions as our Ally, when peace should be concluded, so far as circumstances would permit. When the Swedish Treaty was discussed and sanctioned by that House, there was no point perhaps that was more particularly looked to than this, on account of the embarrassments it was feared it might throw in the way of a future accommodation with France; and could it then have been foreseen that this difficulty might be obviated by a pecuniary arrangement, it would have lessened the number of the objections urged against that Treaty. When peace was about to be made with France, then no longer an adverse power, he could not but feel that having lost St. Domingo, unless she regained Guadaloupe, she would want that existence in the West Indies, which he thought she ought at all times to possess; for he was of opinion that the interests of her commerce made it necessary that she should be of importance in that quarter, and this he regarded as essential to the peace of the world. Under these circumstances, then, it would be seen, that had not Sweden lent herself to the arrangement necessary to get over this difficulty, there would have been much embarrassment in concluding the late peace. From this statement, it would be seen that the vote which would be proposed in favour of Sweden, did not at all arise out of the present circumstances of Europe, but out of the arrangement which had been thought advisable at a period of the late war, when the state of things was not so favourable to the Allies, as they were at a subsequent time, and when but for the arrangement referred to, it might have been impossible for Russia to make the efforts she had made, and which had led to the Treaty of Paris. The fortifications in the Netherlands would call for no advance from this country in the present year. The system of fortifying the Netherlands he considered wise, even as a measure of economy. It was necessary to preserve Holland and her navy independent of France, and this could only be secured by making the Netherlands strong as a military position. This would save the country the excessive expense of repelling the attempts which France might be induced to make at any future period. With this view of the subject, he conceived this country to be highly interested in fortifying the Netherlands in the manner proposed, the expense of which would be met gradually. With respect to the loan raised in Holland, for the service of Russia, which we were called on to pay, he really was not in possession of the information necessary to enable him to say whether or not the anecdote recounted by the hon. gentleman (Mr. Whitbread) of its origin, was correct. If the loan was raised for the purpose which had been stated, he would join with the hon. gentleman in reprobating its object; but the propriety or impropriety of the present arrangement could not be determined by the policy which caused the loan to be raised. The fact was, such a debt was in existence, and the question for the committee to consider was, whether Russia was entitled to such assistance, and whether Holland had done any thing to entitle her to expect that England would give it? The noble lord then proceeded to set forth the claims which Russia had to the gratitude of Holland, and the necessity of those charges being cheerfully borne by a country delivered from foreign oppression, which were attendant on the operations of those who were the means of restoring its liberty. If nations placed in this situation failed gratefully to take upon themselves such expenses, the effect would be fatal to the cause of freedom, as those great Powers who had the means of procuring their emancipation, would be taught to pursue a more insulated line of policy. On the advance of the Allies to the Rhine, the Sovereigns of the smaller states (twenty-two in number) had agreed, in aid of the exertions of the three great Powers, not only to furnish a certain quota of men for the future operations of the campaign, but they had also agreed each to contribute a sum of money equal to one year's revenue of their respective dominions. It was thought Holland ought to do as much as these, and indeed something more, as before her military exertions had not been so great. With the wishes of the Allies the King of the Netherlands had complied. The noble lord then went on to prove how equitable the claim was which he felt it his duty to prefer on the part of the King of the Netherlands. The arrangement made would be as beneficial to him as it was consonant to the policy of this country. It went to give the greatest power in Europe an interest in the conservation of the independence of Holland; and however ready that Power might have proved itself to make great sacrifices for the public good, he considered it no misfortune for the politics of Europe, that interest should in this instance unite with duty. It was said that Russia might again act as from circumstances she had found herself compelled to do in the last war; and, in that case, the payments by Holland would cease. If that period should arrive, our payments also would be suspended, as they would if by any circumstance the Netherlands should be separated from Holland. The state of things which had called upon us to take this charge upon ourselves, had given us an opportunity of fairly, and without the appearance of illiberality, proposing to Holland the cession of her colonies to England. He had much satisfaction in stating, that our conduct in this respect had been justly appreciated on the part of Holland. She had viewed it as a fair proposition made by a friendly power, and not considered it as the demand of a nation who, having obtained possession of her colonies in time of war, refused to relinquish them on the return of peace. The colonies obtained by the arrangement entered into with Holland, were of great importance to this country, not only on account of their connexion with our Eastern possessions, but on account of the situation in which they placed us with respect to South America, by which a constant supply of cotton was secured, which would prove an important advantage to the manufacturers of one of our staple commodities. The King of the Netherlands had certainly of himself taken measures for putting an end to the Slave-trade; but the situation of some of the ceded colonies presented such facilities to the smuggling of slaves into them, that it could hardly be hoped the evil would be effectually remedied but by placing them under the care of this country. The arrangement made had not been decided upon from an inordinate wish to extend our colonial possessions, but to promote the interests of our manufactures, and to give greater effect to that system of policy which the country had so anxiously at heart. With respect to the payments, he had to state, that the first to be made on account of the loan to Russia would be about the middle of the year 1816, and its amount, including interest and sinking fund, would be 136,000*l.* This, as he had before stated, would only be continued so long as the Netherlands were separated from France, and would cease if the Orange family should unfortunately be displaced. Nothing would be required at present for the fortifications of the Netherlands; but in a Committee of Supply, he should move the grant of 1,000,000*l.* to Sweden, as compensation to her for giving up Guadaloupe. The noble lord concluded by moving, "That provision be made out of the Consolidated Fund of Great Britain for the payment of the interest on the capital sum of twenty-five millions of florins, Dutch currency, being part of the loan made in Holland for the service of the Emperor of Russia; together with a sinking fund for the liquidation thereof, and the expenses attending the same."

Mr. *Whitbread,* in reference to what had been said by the noble lord of the agreement made by the Sovereigns of the smaller states, to advance in aid of the common cause a sum equal to one year's revenue of their respective dominions, desired to know if any payments had, in point of fact, been made. The debt owed by Russia to Holland, he believed, had been contracted by the grandmother of the Emperor Alexander, and for a number of years no part of the principal or interest had been paid.

Lord *Castlereagh* stated some issues to have been made by the minor states, of Exchequer-bills, or something of that sort, in consequence of the arrangement to which they were parties. The Emperor of Russia had indeed made the discharge of the debt due to Holland a point of honour; but the payments had been suspended while Holland was essentially French.

Mr. *Whitbread* considered the explanation of the noble lord to be but a poor excuse for the conduct of Russia. The country, he thought, would be little disposed to pay a loan which had been contracted to put a Russian armament in motion against the independence of Poland, after supporting with their money the opposite side of the question on a former occasion. He thought it very desirable that we should know whether or not we were called upon to pay the price of that iniquity which we thought it our duty to oppose before. Notwithstanding the arrangement which had been made, he considered the situation of the creditors of Russia in Holland, to be but indifferent after all.

Mr. *Tierney* admired nothing so much as the ingenuity of the noble lord. It was only when he got to the end of his speech, that those who listened to him could tell what was going on. He spoke much of the amicable arrangement which had taken place, but spoke as if it was attended with no inconvenience, as if it was to throw no burthen on the people, and after all it came out that 8,000,000*l.* was to be sent from this country.

Lord *Castlereagh* controverted this statement, and showed the right hon. gentleman that in no way could it be proved that the charges referred to would exceed 5,000,000*l.*

Mr. *Tierney,* admitting them to be but 5,000,000*l.*, would venture to say, that nobody who heard the speech of the noble lord could have thought from his manner that he was about to propose a vote of 5,000,000*l.* It was worthy of remark, that these conventions, which had been concluded some time, were not brought forward till the middle of June.

He thought it must appear to the House, that there had been a wish for concealment on the part of the noble lord. On private information he had ventured three months ago to ask the noble lord a question connected with the subject of them. The answer was ambiguous—it was in substance, that the Opposition were at their old tricks—they were asking many impertinent questions, to which he should not then reply, but a time would come when he would satisfactorily answer all. It should seem this time was now arrived; but he thought he had a right to ask, why it did not come before? He thought there was something very improper, and (not to use the word in an offensive sense), suspicious, in such concealment. Why these papers had not been brought forward before, the noble lord ought to explain before he left the House that night. Those arrangements might be advantageous to Europe, but why should this country have to pay for them? Because Sweden had consented to accept a compensation of 25,000,000 of francs for Guadaloupe, his Britannic Majesty, as a friend and ally, was pleased to take the payment of that sum upon himself. But wherefore should he do it? This was what he wished to know. Holland had gained the whole of the Austrian Netherlands, and ought to consider the exchange of four colonies, for that large portion of European territory, a very good bargain. The noble lord's speech a few nights since had excited much astonishment in Holland; and he had received a letter from an honest Dutchman, who said, "I have endeavoured to understand lord Castlereagh's speech, and have not been able to make out one word of it." The finances of Holland were not in so dilapidated a state as to require such an interference on our part. By her union with France, she had got rid of two-thirds of her debt. The Chancellor of the Exchequer might smile at this method of disposing of a national debt; but if he went on much longer, he would be compelled to have recourse to similar means.—(Hear!)—The noble lord had no right to pledge the country to pay one million without the knowledge of Parliament. From his speech it would appear that the price of the colonies ceded to England was only 136,000*l.*, whilst it was, in fact, five millions, which far surpassed their value. What was the use of our retaining the Cape of Good Hope, when we were in possession of the Mauritius? Holland, at the time she gave us up the sovereignty of that colony, preserved all its uses to herself, and only left us the expense of its possession. It was the same with the three other colonies; all persons residing in them were to have the right of trading as before, with the Dutch dominions in Europe; so that they might, if they pleased, refuse to convey their merchandize to this country. It made, therefore, no difference to us whether those islands were in the hands of the Dutch or in our own. The last thing that ought to have been done, ought to have been bargaining for colonies in the West Indies. But he was convinced there remained a story to be told of some secret arrangement, which would creep out in another twelvemonth. It had been said that we had made a good bargain, when for five millions, which the loss on the exchange would reduce to four, we had obtained 600,000 men from the Allies. But there was perhaps another colonial arrangement of five millions behind. The noble lord said, that the country would only have 136,000*l.* to pay; but this expenditure was to go on until the two millions should be liquidated, which would not take a shorter period than 33 years. Could not Holland have endured such a debt? If unable to pay the two millions at once, she could not be embarrassed with the arrangement that had been made, and could have easily met the yearly instalments of 136,000*l.* This very arrangement showed that there was no necessity we should take them upon ourselves. With all the noble lord's power in that House, if he had fairly said that the country was to pay five millions, he would not have obtained a majority. He wished to know how we came into possession of the island of Banca, which we had ceded to the Dutch. When the noble lord wanted five millions to fortify Belgium, which was to remain in the possession of Holland, he ought to show that Holland was unable to do it herself; otherwise he plundered the people of England. He should like to see ministers negociating with Holland to pay for the fortifications of Plymouth or the Isle of Man! The country could not bear such expenditure. When the finances were completely drained, to pull out of one's pocket papers concealed for a twelvemonth, and ask five millions, required all the powers of the noble lord's countenance to face it. At this time of the session, the House was entirely at his mercy. Gentlemen were necessarily engaged in the country, and could not attend. After such a laborious session, he did not complain of their absence, but of the noble lord, for delaying matters of this importance until he knew there could be no opportunity of their being effectually discussed.

Lord *Castlereagh* stated, that the reason why the Treaties had not been brought down before, was, that they were not then in a proper shape: they were, even now, imperfect. The Convention between the emperor of Russia and the king of the Netherlands, which alone gave them validity, had not been concluded until the 19th of May last. He maintained, that to fortify the places in Belgium was not a Dutch object merely, but one which interested all Europe, and this country in particular, and that Holland ought not to be allowed to exhaust her resources by incurring expenses beyond her strength. If England alone had conquered the Netherlands, then it would have been fair and just in her to exchange them for the Dutch colonies, and to pay no other price. But that was not the case: she had no right to dispose of Belgium as she pleased, as it was as much in the power of the Allied Sovereigns as in hers. With respect to the island of Banca, he could not charge his memory with the manner in which we had acquired it; but he had no doubt our title to its possession would be found a good one.

Mr. *Wallace* stated, that the rajah of Banca, having murdered all the Dutch, and declared himself independent of them, which he was not before, had afterwards been obliged to fly. His brother had then been made sovereign, and had ceded his rights to us.

Mr. *Forbes* believed that the rajah of Banca had been forced to enter into an improvident contract for tin by the Dutch government: that he had assisted us in taking Java, but that when after the success of that enterprise, our commander had insisted on his fulfilling the contract entered into with the Dutch government, he had resisted it. The consequence was, that we had sent an army against him and taken possession of his territories. This, he was convinced, was the original cause of his losing Banca. As to his being deposed afterwards, he could say nothing.

Mr. *Whitbread* remarked, that according to the last speaker, the rajah of Banca had assisted the English in the conquest of Java.

Mr. *Wallace* denied that fact. He had never moved until after the English had taken possession of Java, when he had seized that occasion to murder all the Dutch inhabitants in his dominions.

Mr. *Bankes* objected to the treaty under which the payment of the Dutch loan was guaranteed to Russia by this country, having formerly objected to the original treaty, of which this was to be considered a branch. The noble lord had rung the changes upon the terms, grand system, national generosity, and liberal policy, until he almost persuaded himself that this country was capable of supplying pecuniary resources to the whole of Europe; and it was obvious that Holland was not now, and could not for many years be in a situation to repay to England, even the salvage of her colonies, much less the enormous sums that they had cost this country. He objected to the system upon which Government was now acting with regard to foreign powers; they were embarking this country too much in foreign policy, and connecting her too intimately with continental affairs. Upon a question like the present, the utmost deliberation was necessary, and he thought that the treaty ought to have been presented to Parliament long ago.

Lord *Castlereagh* observed, that it was wholly inconsistent with the practice of Parliament, and indeed with the established system of the constitution, that treaties should be laid upon the table pending negociations, and, on that account, that which related to the question now before the House had been delayed. Undoubtedly his hon. friend possessed a very enlarged mind, but he had a singular facility in contracting it to the narrowest view of the question; thus, while he painted to the House so strongly the inconveniencies that might result from the payment of this money, he forgot entirely to consider the alternative, of what might be the consequences if the demand were not discharged: while he was censuring the subsidies that during the late war had been paid to our Allies, he neglected to notice the brilliant events that it had produced, and the full equivalent that Great Britain had derived for these sacrifices.

Sir *John Newport* dwelt upon the impolicy of repairing the fortresses on the frontiers of Belgium that might in future devolve into the hands of the enemy, and allow him to turn our own weapons upon ourselves, while we, even when we returned them, obtained no adequate advantage. The noble lord had said much of the increased facilities we possessed of terminating the Slave-trade when Demerara, Essequibo, and Berbice, were in our hands; but unless we possessed the most important colony of Surinam also, sir John doubted whether we could act with the least effect. He recommended that the House should pause before it consented to the present vote, or sanctioned a treaty transferring the island of Banca to another power, when in fact it was not known what right we had to dispose of it, no satisfactory information having been given it what way it came into our hands. All that the noble lord could say was, that we had possession of it, and therefore he presumed that it came fairly and honestly into our hands.

Mr. *Baring* contended, that not the slightest foundation had yet been laid for the proposition of the noble lord; he conceived that it was quite irregular for Parliament to be called upon to give its sanction to a treaty before it had been ratified by the foreign power with whom it was made. There seemed neither reason nor justice in calling upon Great Britain to make good this debt to Holland; and the probability appeared to be, that while the Sovereigns were squabbling at Vienna for pieces of territory, the noble lord, to restore harmony, had thrown in the money of Great Britain, without reference either to the amount, or the benefits it was likely to produce. It would doubtless be replied, that the value of the Dutch colonies was great; but the truth was, that the island of Guadaloupe alone was worth infinitely more than all the Dutch possessions in the West Indies united. [Lord Castereagh shook his head.] If the noble lord ventured to contradict this assertion, it would only show that he really knew nothing about the subject. He doubted even whether it would have been politic to have accepted these colonies from the Dutch. The Cape of Good Hope could be of no use to us, Mauritius and St. Helena being in our hands; the only object which was desirable was to keep the Cape of Good Hope out of hostile hands: but in the hands of the Dutch, our allies, it would be safe; so that the only question was, who should bear the expense? There was one reason, to be sure, why we should bear it—which was, that we had a governor there, in the receipt of 20,000*l.* a year (Hear!); for twice which sum the thrifty Dutchman would have supported the whole colony. In the colonies also the Dutch were to have a joint trade with ourselves; for though this benefit was to be limited to Dutch proprietors, it would not be very easy to prevent those persons from exporting goods which were not the produce of their own estates. It was plain that the purchase of the colonies had been the real object, but that the business was transacted upon other principles, which the noble lord had styled grand views; and that, in fact, the States assembled at Vienna being dissatisfied with their shares of spoil, Great Britain had stepped in to supply all deficiencies with her gold. As to the sum to be paid to Sweden, the treaty and the statement of the noble lord were at variance: the treaty spoke of 24 millions of florins, which would amount to about a million and one-third; but the noble lord said it was but one million sterling.

Mr. *Bathurst* thought that too narrow a view had been taken by the opposers of the vote, as they had not considered the consequences which might have resulted, if any member of the alliance had withdrawn itself during the last war, or thrown itself into the opposite scale. When an hon. member had said it was to supply the deficiencies in the spoil that we had stepped forward, why had he closed his eyes to the Low Countries, which was obviously an object for the annexation of which to Holland this country should make some sacrifices? By the Treaty of Paris, all that was decided as to the Netherlands was, that they should not belong to France. Though from what he had heard, he was not disposed to rank the Dutch colonies so low, in comparison with Guadaloupe, as the hon. member who spoke last; it was not on the ground of their absolute value that this country had retained them, but because so many British subjects, and so much British capital had been engaged. The fortification of the frontiers of the Low Countries was the only means by which that country could be made secure, and consequently of any advantage to this country; and as this object could not be accomplished for less than eight or ten millions, of which sum the revenue of Holland was not in a state to supply the whole, was not our aid justified? It had been proved by experience that it was not secure in the hands of the Dutch; and it was therefore better, even with a view to economy, that we should retain it, than be at the expense of re-conquering it at a future time. On the general view of the question, and not looking merely at the pounds, shillings, and pence, he thought the proposition justified.

Mr. *Baring* observed, that the question had been put on a better footing by the abandonment of the allegation that the purchase of the colonies was the real ground for the vote. But still he thought that the arrangement was not justified on any principle of British policy. Our interest was, that some great Continental Power should hold the Netherlands, which might be able to protect them against France; but if no such power would take them, we should not at any rate have paid other Powers for the transfer of them to Holland. [Cries of 'Question!'].

Mr. *W. Smith* said, it was with the utmost difficulty that the House could be prevailed on to pay any attention to a subject of such importance; but he felt it his duty to protest against the vote. If this country had only contributed by her money to the object of the war, the other Powers might call on us to accommodate matters with our gold or paper; but they should remember that we had constantly kept up 150,000 seamen, and a land force immense in comparison to our population. Why then were we to pay all other Powers? As to the fortifications of Belgium, it was necessary, as we were to pay two millions towards that object, to have some security that it would be accomplished; otherwise, we might be merely so much the poorer, and the frontier of Belgium never the stronger. Why were we to pay Holland also for accepting what Austria rejected, and other Powers for giving up that which we paid Holland for receiving? He had no doubt, that even if we had not subsidized them, the Continental Powers would, by some means, have found money to continue the contest against France.

Mr. *Lockhart* opposed the principle of the treaties. The Netherlands, he observed, were in part conquered by British arms—they were conquered by our victories in Spain and France; and we had therefore a joint title to dispose of them. The Cape of Good Hope could be of no benefit to us—it was as safe in the hands of the Dutch. He did not think that industrious people could want our aid to repair their own fortresses. It was of the utmost importance to strengthen the hands of Government, but of greater consequence to maintain public credit, which could only be done by a vigilant eye on the public expenditure. The noble lord had boasted, at the time when the Treaty with Sweden was formerly considered, that we had not guaranteed Guadaloupe to her; but now we were called on to pay a million of money on the ground of some pecuniary engagement to that effect.

Mr. *Forbes* objected to the transfer of the island of Banca, but considered the cession of the Cape of Good Hope as most advantageous to this country.

The House divided: For the motion, 104; Against it, 19;—Majority, 85. The report was ordered to be received to-morrow.

List of the Minority.

Barclay, C.
Bennet, hon. H. G.
Birch, J.
Baring, Alex.
Bankes, H.
Babington, T.
Duncannon, visc.
Grant, J. P.
Grenfell, Pascoe
Gordon, R.
Lockhart, J. I.
Moore, Peter
Montgomery, sir H.
Martin, H.
Newport, sir J.
Pym, F.
Ridley, sir M. W.
Tierney, rt. hon. G.
Whitbread, S.

TELLER.

Smith, Wm.

On the motion of lord Castlereagh, the House went into a Committee of Supply. Mr. Baring objected to going into the question of Supply at so late an hour. After some observations on the part of Mr. Bankes, the Chancellor of the Exchequer, and Mr. Baring, it was agreed that the subjects likely to excite discussion should be postponed.

Lord Castlereagh then moved, that 1,000,000*l.* should be granted to enable his Majesty to carry into execution the Convention with the King of Sweden, dated 13th August 1814; which was agreed to.

HOUSE OF COMMONS.

Tuesday, June 13.

MASTER OF THE ROLLS IN IRELAND.] On the motion of Mr. Peel it was ordered, that the order of the day, for the second reading of the Bill to augment the Salary of the Master of the Rolls in Ireland, and to enable his Majesty to grant an additional Annuity to such Master of the Rolls, on the resignation of his office, and to regulate the disposal of the offices of the Six Clerks in the Court of Chancery in Ireland, be now read; and the same being read, the right hon. gentleman moved, That the Bill be read a second time on Monday.

Mr. *Valentine Blake* regretted the postponement; but as it would be impossible for him to attend in his place in the future stages of the Bill, he trusted the House would excuse him for offering a few words on the present occasion. He was anxious to express his approbation of the measure, and also to correct an impression calculated to be produced by the statement of a right hon. baronet, that the Master of the Rolls in Ireland was raised to his judicial duties in order to enable the Lord Chancellor of Ireland to do that which he never had done, namely, to attend in his place in the House of Peers. The duty of the Master of the Rolls in England was divided with the Vice-Chancellor; there was no Vice-Chancellor in Ireland, and therefore the duty of the Master of the Rolls in Ireland was equally important and onerous with that of the Master of the Rolls in England; and that duty has been performed with an ability and diligence quite to the satisfaction of the eminent law authority who presided at the Court of Chancery in Ireland, and also to the full satisfaction of the whole bar and people of that country. There was no instance of an appointment received with such general approbation as that of the present Master of the Rolls in Ireland—an approbation which was quite sufficient to silence in the mind of his cotemporaries every feeling of jealousy or of envy. Was it fit that he should not be enabled to preserve the dignity of his judicial situation by an adequate allowance? The salary of the present Master of the Rolls of England, including the value of his house, was 5,000*l.* per annum, and it would have been more if he had not declined an increase. It was equally competent to that right hon. gentleman to offer to do the duty of his office without any salary; but such an offer could not alter the principle acted upon by Parliament when the increase was offered. The case therefore was to be taken for the purposes of the present argument, as if the increase had not been refused.

Mr. *Horner* re-stated some of his objections to the measure, and declared that even the authority of the Attorney-General for Ireland would not satisfy him that the Master of the Rolls had a right to make money of the Six Clerks offices.

Mr. *Peel* said, the present Master of the Rolls for Ireland had never taken those emoluments for the Six Clerks' offices which his predecessors had enjoyed, and shortly vindicated the measure.

Mr. *Ponsonby*, when the subject had been brought forward in Mr. Perceval's time, had been of opinion that the Six Clerks who had purchased their offices with an understanding that they might sell them again, ought to be exempted from the measure then submitted to Parliament.

The second reading of the Bill was postponed to Monday.

MOTION RESPECTING THE PROFITS OF THE BANK OF ENGLAND.] Mr. *Grenfell*, prior to proceeding with the motion of which he had given notice, on the subject of the balance of public money in the hands of the Bank, moved, "that the second Report of the Committee on the Public Expenditure be entered as read;" which having been done, the hon. gentleman proceeded to observe, that the motion he was about to submit to the House was founded on the document which had just been entered as read, and on various papers which had been laid on the table of the House—having reference to certain transactions subsisting between the Bank of England and the Government. He was here desirous of stating, that it had never entered into his contemplation, to propose a measure that would operate on any contract now existing between Government and the Bank—and still less had it entered into his view of the subject, to bring forward a proposition that would go to rescind any of those agreements, made by the Bank of England, and sanctioned by the authority of an Act of Parliament, which would expire in the month of April next. Yet it was, he conceived, in some degree necessary that he should not let the present session pass away, without laying before the House, a combined practical view of the facts contained in the papers laid before them. He meant not to move any thing on those papers that would operate at present. What he had in view was, some ulterior proceedings with respect to those transactions, that would lead to an improvement of the existing system, in the ensuing session of Parliament. In order to effect this object, it appeared to him (and he was glad to find his own judgment on this point confirmed by the opinion of others) that the best mode would be, to submit to the consideration of the House a series of resolutions of fact, founded on the papers now on the table

—and in which would be embodied the practical result of the documents themselves. With this feeling he had drawn up a number of resolutions, which appeared to him to answer the contemplated purpose. Before he read those resolutions, he hoped the House would allow him to call its attention to a few facts, connected with the whole of this, as it appeared to him, very important subject. In the first place he would state, that, neither in the origin or progress of this proceeding, was he actuated by any improper feeling towards the Directors of the Bank of England—nor by any wish to abridge or curtail the fair and legitimate profits of that establishment. Amongst the directors there were many whom he had long been proud to call his friends—and there was not an individual in that body towards whom he did not look with respect. As to the establishment itself, no person appreciated more highly than he did, the great advantage which the country derived from it, and he hoped it would long continue to derive benefit from that great institution. But it appeared to him, that all the advantages which it was capable of bestowing, might be obtained without calling for those great pecuniary sacrifices from the public, which helped to support that wealthy corporation. He meant not to cast blame or censure on the directors of the Bank for what had passed. If censure were at all necessary, he conceived it ought rather to be directed against the right hon. gentleman opposite (the Chancellor of the Exchequer), and those who had filled the situation he now held for fifty years, for the facility with which they had lent themselves to the proceedings of the Bank of England, in the transactions to which he had adverted, than to the directors of that establishment. And, standing in that place, he could not help expressing a doubt, whether the House itself did not deserve blame and censure, rather than the Bank: for though he held that the Bank directors had duties to perform towards the public (particularly in the present state of the currency of the country), and were not to be considered merely as the protectors of the proprietors of Bank stock—yet, looking to the facilities that were given to them for the last fifty years, it could not be expected that they would shun profits, and refuse bargains, which were highly beneficial to the general body.

Having said thus much, he should now endeavour, as shortly as possible, to state the view, which, as it appeared to him, it might be expedient for the House to take on the whole of this subject. In doing this, he would proceed on the arrangement to which he had adhered, when he first brought the question forward—confining his observations to two principal branches of the subject. One of these had reference to the deposits of public money in the hands of the Bank—the other respected the charges made for managing the national debt. When he first brought the subject of the deposits under the notice of the House, he founded his statement on the Report of the Committee of Public Expenditure—than which, a more able or luminous exposition of a subject of this nature, never emanated from any committee. On the authority of that Report, he stated, that the total amount of the deposits of public money, in the hands of the Bank, in 1807, was 11,000,000*l.*; and, having no reason to believe that any diminution had taken place in those balances, from 1807 to the period when he introduced his motion, he rated them at the same amount, namely, 11,000,000*l.* He contended then, as he did now, that those balances, which were unproductive to the public, were productive to the Bank, to the amount of the whole annual interest on the entire of those deposits—and which, of course, must be 550,000*l.* per annum. This he considered as the sum which the public paid to the Bank of England, for the limited and circumscribed service of acting as bankers to the nation. He was told, that he had greatly exaggerated the amount of the deposits, for the balances had been very much diminished, as would appear when the papers were produced. The papers were now produced; and what was the result? Why, he found that the balances were not diminished, but that they were increased. On an average, these balances amounted, in July, 1814, to 11,966,371*l.*; and he contended that he was entitled to consider the interest on that sum, making nearly 600,000*l.* as the price which the public paid to the Bank in that year, for acting as their bankers. The items of the different balances were as follow:—

1814—	Unclaimed Dividends...........	£ 640,000
	Customs, Excise, and Stamps	507,000
	Post-Master-General	31,000
	Various deposits of Government	3,767,000

American Commissioners, and other balances...............	479,000
Under the head of Exchequer Deposits (Exchequer-bills and Bank-notes deposited in chests of the Tellers of the Exchequer as cash)..................	6,542,000
The whole making an aggregate of...,	11,966,000

He thought he had said enough on this part of the subject, to satisfy the House that he was not guilty of any exaggeration, when, in April last, he took the amount at 11,000,000*l.* There were two points, respecting these deposits, on which he would make a few observations—First, how far those balances were productive of profit to the Bank; and next, how far it was practicable to make them profitable to the public. He would not detain the House long on these points; for, whatever difference of opinion might exist on other matters, he believed but one sentiment prevailed at present on the subject of the profit made from those balances, namely, that they were as beneficial to the Bank of England, as they would be to private bankers, if placed in their hands. Nay, they were more profitable—because deposits cannot be made available to private bankers to their whole extent. They must always have in their drawers a certain portion of unproductive capital to meet any demand that might be made on them. This was not the case with the Bank of England. They had no necessity to keep any balance in their coffers. If a demand were made on them, they had only to provide themselves with paper, pen, and ink, and they were at once able to meet it. Supposing, however, that there were persons who still contended that those balances were not productive to the Bank of England, they must admit this, that they were unproductive to the public; and if any means could be devised to make them beneficial to the country, they could not deny that it would be a very desirable object. The question, then, was, in what way they could be rendered profitable? He had no hesitation in saying, that various modes might be adopted for that purpose, which could be easily carried into effect, if the Bank of England gave its cordial co-operation, and which were practicable, even if the Bank endeavoured to resist them. In the first place, the Bank might advance to the public, without interest, such a proportion of those balances, as, in the judgment of the House and the country, the public ought to avail themselves of—in the same way, precisely, as the Bank, at present, granted 3,000,000*l.* without interest. This was merely carrying the principle to a greater extent. There was another mode, similar to that by which the transactions of the London and country bankers were regulated. A certain sum of money was left in the hands of the London banker, the use of which was considered as a stationary reward for his transacting the business of the country banker. Every guinea, beyond that, was charged with interest. Why might not an arrangement of this sort be adopted in the transactions between the public and the Bank? Suppose a balance of 1,000,000*l.* was lodged with the Bank—it would, he conceived, be a full, liberal, and most munificent remuneration for carrying on the whole of those services; and, he was confident a private banker would transact the business for one-fifth of the interest of that sum, which would amount to 50,000*l.* per annum. How would such an arrangement apply at present? The total amount of balances lodged with the Bank was 11,966,000*l.* If, then, this arrangement took place, the Bank would advance to the public, without interest, in 1815, no less than 10,966,000*l.*—one million balance being left as a sufficient remuneration for the services of the Bank.—The next branch was, the charge for managing the public debt. On the 5th of July, 1792, the sum paid for that service was 99,000*l.*—on the 5th of April, 1815, it was 281,000*l.*—being an increase of 182,000*l.* Here, he conceived, there was a great ground for a reduction of charge.

There was one other topic on which he wished to touch—he meant the increase in the circulation of bank-notes. He did not wish to be strictly understood as desiring to suggest the propriety of any participation, by the public, in the profits derived by the Bank, under this head; but, if it were not expedient that the country should participate in that advantage, it at all events formed a strong claim on the liberality and generosity of the Bank. At the period when the restrictions were imposed, the amount of bank-notes in circulation, was from 10 to 11,000,000*l.*; in the last year, it was 30,000,000*l.*; and the average was 27,000,000*l.* Here, then, was an increase of 16,000,000*l.*—giving a profit of 800,000*l.* per annum. He concluded by reading the following Resolutions:

1. "That it appears that there was paid by the public to the Bank for managing the national debt, including the charge for contributions on Loans and Lotteries, in the year ending 5th July, 1792, the sum of 99,803*l.* 12*s.* 5*d.*; and that there was paid for the like service, in the year ending April 5, 1815, the sum of 281,568*l.* 6*s.* 11¼*d.* being an increase of 181,764*l.* 14*s.* 6¼*d.* In addition to which the Bank of England have charged at the rate of 1,250*l.* per million on the amount of property duty received at the Bank on profits arising from professions, trades, and offices.

2. "That the total amount of bank-notes and bank post-bills in circulation in the years 1795 and 1796 (the latter being the year previous to the restriction on cash payments), and in the year 1814 was as follows:

1795, Feb. 1, 12,735,520*l.*; Aug. 1, 11,214,000*l.*
1796, Feb. 1, 10,784,740*l.*; Aug. 1, 9,856,110*l.*
1814, Feb. 1, 25,154,950*l.*; Aug. 1, 28,802,450*l.*

3. "That at present, and during many years past, more particularly since the year 1806, considerable sums of public money, forming together an average stationary balance amounting to many millions, have been deposited with, or otherwise placed in the custody of the Bank of England, acting in this respect as the bankers of the public.

4. "That it appears from a Report, ordered to be printed August 10, 1807, from 'the Committee on the Public Expenditure of the United Kingdom,' that the aggregate amount of balances, and deposits of public money in the hands of the Bank of England, including bank-notes, deposited in the Exchequer, made up in four different periods of the quarter, ending 5th Jan. 1807, fluctuated betwixt the sums of 11,461,200*l.* and 12,198,236*l.*, including bank-notes deposited in the chests of the Exchequer; or, 8,178,536*l.* and 9,948,400*l.*, excluding bank-notes deposited in the Exchequer.

5. "That the aggregate amount of such deposits, together with the exchequer-bills and bank-notes deposited in the chests of the four Tellers of the Exchequer, was, on an average, in the year 1814, 11,966,371*l.* including bank-notes deposited at the Exchequer, amounting to 642,264*l.*; or, 11,324,107*l.*, excluding bank-notes deposited at the Exchequer.

6. "That it appears that this aggregate amount of deposits, together with such portions of the amount of bank-notes and bank post-bills, in circulation, as may have been invested by the Bank in securities bearing interest, was productive, during the same period, of interest and profit to the Bank of England.

7. "That the only participation hitherto enjoyed by the public, since the year 1806, in the profits thus made on such deposits by the Bank, has consisted in a loan of 3,000,000*l.* advanced to the public by the Bank, by the 46 Geo. 3, cap. 41, bearing 3 per cent. interest, which loan was discharged in December, 1814, and in another loan of 3,000,000*l.* advanced to the public by the Bank, by the 48 Geo. 3, cap. 3, free of any charge of interest, which loan became payable in December 1814; but has, by an Act of the present session of parliament, cap. 16, been continued to the 5th of April, 1816.

8. "That this House will take into early consideration the advantages derived by the Bank, as well from the management of the National Debt, as from the amount of balances of public money remaining in their hands, with the view to the adoption of such an arrangement, when the engagements now subsisting shall have expired, as may be consistent with what is due to the interests of the public, and to the rights, credit, and stability of the Bank of England."

The question being put on the first Resolution,

The *Chancellor of the Exchequer* observed, that on a string of resolutions which related to so many complicated transactions, it was impossible for the House immediately to decide, with satisfaction to themselves or justice to the parties; and he could take no other course than to move an adjournment of the debate to afford time for consideration. If the hon. mover had taken the same view of the question, it would have been the most convenient course that he should have abstained from any remarks on bringing them forward; but as the hon. mover had made some observations, he (the Chancellor of the Exchequer) should also think it necessary to say a few words. As a servant of the public, it was his duty, perhaps, to attempt to push to the utmost extent the statements of the hon. gentleman; but he had a duty to justice, which was superior to his official duties, and which obliged him to say, that hon. gentleman's statements were exaggerated, and his deductions erroneous. The hon. gentleman had taken the amount of the balance in the hands of the Bank just previous to the bargain concluded between Mr. Perceval and the Bank, with that now in their hands. The increase had been not quite a million, and the public continued to receive the remuneration which Mr. Perceval had stipulated for. When that agreement of the Bank with the public expired, it might be proper to consider how far that bargain had been beneficial; in the mean time, the Bank could not be censured as if it had imposed upon the public, as it paid the sum which had been stipulated for in 1808. It was said that the Bank could make more profit from the balance which remained in its hands than private bankers, because it need only have recourse to pen and ink. If the Bank so managed their affairs, public credit would be in a most dangerous state; neither would they be justified to Parliament and the Country if they increased their issues without regard to any thing but their own convenience. As to the terms on which private bankers would undertake the care of the public money, he was very ready to believe that there were many in London who would be glad to get eleven millions into their hands on any terms at all; but the question was, whether these bankers could afford such security to the public as to justify the repeal of twenty Acts, by which the public money was specially directed to be paid into the Bank of England. It was true that the charge of the Bank for the management of the public debt, had increased from about 100,000*l.* to 280,000*l.* since 1792; but the amount of the debt managed had increased in a still greater proportion, and the accounts had been multiplied to an extent not foreseen. The rate of allowance on the management of the debt had been lessened of late years, but that allowance might be revised upon due consideration; but in the mean time they could not complain that injustice had been done to the public. It was not any great distance of time since the present allowance had seemed reasonable to the House. The hon. gentleman had not taken the expense of the management of the debt at the time when the last arrangement had been made (1808), but had mounted to an earlier period, to compare the charge at that time with the charge of the present year; such a comparison was not, therefore, fair to the Bank. As to the increase of the issue of bank-notes, the Bank was answerable to Parliament if they abused the discretion entrusted to them, and he should in a few days submit a motion to the House, the object of which was to make an arrangement, by which the public would obtain a benefit from the extent of this species of circulation. The extent of the Bank issues had been alike advantageous to the Bank and the Country, and afforded no ground to extort unfair terms from the Bank in any bargain made between that body and the public. As to the charge on the amount of the Property-tax paid into the Bank, it was so small that it was the last thing he should have thought would have been objected to; indeed, the whole of the management of that tax was extremely economical. He should move as an amendment, that the debate be adjourned to this day week: in the mean time any hon. gentleman might move for papers to elucidate the transactions to which the Resolutions referred.

Mr. *Ponsonby* did not rise to oppose the amendment of the right hon. gentleman, but to correct the mis-statements which he had urged against the motion of his hon. friend, who by no means insinuated a charge against the Bank for the terms on which they transacted the public business; but merely on the ground of an improvident bargain having been made on the part of the public. No imposition was imputed to the Bank; all that was wanted was a revision of the contract in future, and he concurred in the necessity of allowing intermediate time for that purpose. The plain object of his hon. friend's motion was to procure a fair bargain for the public; in doing this he by no means cast any reflection upon the Bank. With reference to the general Acts of Parliament, these were only binding for a certain time, and it was competent for Parliament to revise them at pleasure. The right hon. gentleman concluded by calling the serious attention of the House to the Resolutions, and hoping that they would be printed preparatory to any further discussion.

The *Chancellor of the Exchequer* said, that he was very glad to hear that there was no intention of bringing any charge against the Bank.

Mr. *Grenfell*, in explanation, said, that he was astonished that the Chancellor of the Exchequer should have conceived that there was any such intention. He had taken pains most explicitly to disclaim any such intention.

Mr. *Rose* observed, that the hon. mover had not explained to the House in what method the public money was to be disposed of, if not left in the hands of the Bank. His only alternative was to entrust it to private bankers.

Mr. *Grenfell* explained, that he had only mentioned private bankers with a view to ascertain what was the proper remuneration to the Bank for the management of the public debt.

Mr. *Rose* observed, that if private bankers were not resorted to, there was no alternative but to trust the money to the Bank.

Mr. *Tierney* said, that according to the right hon. gentleman, the public were in the hands of the Bank, and it was lucky they did not exact still harder terms from the public. As to the entrusting the public money to private bankers, his hon. friend who made the motion had said nothing of the kind; he had merely mentioned private bankers to illustrate the subject. He would appeal to any banker in the House, whether the staple balance which his hon. friend had fixed on as a remuneration to the Bank was not ample, supposing the security sufficient. Would not the hon. baronet opposite (sir W. Curtis) be ready to jump at one-third of the sum? Notwithstanding the assertion of the right hon. gentleman who spoke last, it had been thought by some well-informed persons, that it was possible to set up an establishment in opposition to the Bank of England as its rival in the management of the money affairs of the public.—The right hon. gentleman expressed his surprise that the House had heard nothing upon the subject from the Bank itself. There were the governor and two directors of the Bank in that House, and yet none of them spoke a word. But it seemed the resolution of these gentlemen never to open their lips, unless they could get something by it. They should not, however, leave a discussion of this nature to be managed on their part solely by the Chancellor of the Exchequer, for that was not dealing fairly either by that right hon. gentleman or by the House. But such conduct, combined with other circumstances, served to betray the existence of that clandestine system between the Bank and the Treasury which he had long suspected; for he could never get at the secret of how many exchequer-bills were purchased by the Bank. No; this fact was studiously concealed, and that concealment accounted for the secret understanding which prevailed between the parties alluded to. But it was not the fault of the Chancellor of the Exchequer for the time being, that the Bank was not made duly answerable for the profit of the public balances remaining in his hands. For no Chancellor of the Exchequer could, under existing circumstances, safely dispute with the Bank, as the fact was, that the Treasury could not go on without the concurrence and aid of that body. Hence the Bank had the power to make as good a bargain for itself as it thought proper. The House had no doubt heard a great deal about liberality and fine feeling in the transactions of the Bank with regard to the public; but, without meaning any disrespect, he really could not calculate upon much fine feeling or liberality to the east of Temple-bar, especially upon money matters—[A laugh]. The object of his hon. friend's motion was to ascertain the emoluments derived by the Bank from its transactions with the public, in order to know what participation of profit the public was intitled to expect; and according to the last Resolution, it was the opinion of his hon. friend that a much better arrangement for the public might be made with the Bank, than that which at present existed. In this opinion he decidedly concurred. He did not require or expect that an improved arrangement could be obtained by the Chancellor of the Exchequer, or by any individual holding his office; for he could not well drive a bargain with a body upon whose will the Treasury was so dependent. But he put it to that House to consider, whether the public had not a fair claim to a due share of those enormous profits, which the Bank extracted from the exigencies of the country. No one could deny, that in consequence of the restriction of cash payments, the Bank derived a profit far beyond what could have been contemplated by the Bank proprietors, before that restriction took place. Those proprietors, then, should not be allowed to monopolize profits arising out of the distress of the empire. Some return was surely due to the public; but an adequate return could never be expected through the Chancellor of the Exchequer of the Treasury. If, however, that House took up the question, he had no doubt that the Bank would be obliged to make such return; and with that view he supported his hon. friend's proposition. But he should consent to the proposed postponement of the discussion, in the hope that some resolutions would be brought forward on the other side, calculated to put the House in complete possession of the case. Those Resolutions, however, should not be left entirely to the Chancellor of the Exchequer, but should contain what the Bank had to state; and therefore he expected that although the Bank directors declined to speak, they would endeavour to write for the information of the House upon this question.

Mr. *Rose* explained. He thought it might be proper to re-consider the bargain with the Bank, as the public were undoubtedly entitled to as good an arrangement as could be made for them.

Mr. *Huskisson* defended the bargain made with the Bank by the late Mr. Perceval, in 1808. In that transaction Government had employed every possible argument in favour of the public, and it was not without considerable difficulty that they obtained from the Court of Directors a loan of three millions without interest. It was, however, now open to the House to re-consider the bargain.

Mr. *Tierney* explained. He was now more fully convinced than ever, that no Chancellor of the Exchequer could do what he wished to do, till different arrangements were made. It now turned out that the bargain was such as might have been mended; and as Mr. Perceval had tried every argument without effect, it showed that Threadneedle-street was an overmatch for Downing-street.

Mr. *Huskisson* explained. Government had only consented to such a bargain as they thought was fit between the public and the Bank.

Mr. *Thornton* said, that as it was intended to print the hon. gentleman's Resolutions, he should have abstained from making any remarks until a future day, but he thought the House might be misled by the Resolution that excluded the bank-notes deposited at the Exchequer from the public balances in the two periods of 1807 and 1814, which were compared with each other, as the leaving out these bank-notes made a difference in the deposit of three millions beyond what it really was. He objected to the last Resolution, by which the House was called upon to pledge itself to take into consideration the arrangement between the Bank and the public, which had always heretofore been entrusted to the Executive Government, and in matters of so much confidence and delicacy, could not be elsewhere so well placed. With respect to the allowance to the Bank for the management of the public debt, he said it was true that in 1792 the allowance was about 99,000*l.*, and in 1814, 280,000*l.*: but did gentlemen consider the immense increase in the national debt; the risk and the difficulty of conducting it? The number of clerks was in the first period 380; and now above 1,000. He next adverted to the gratuitous services rendered by the Bank to the public:—for receiving the tax on trading profits, they charged nothing; 17,500,000*l.* 5 per cents. had been either paid off, or converted into other stock, without any charge for superintending this service; nearly one hundred millions of exchequer-bills had, in the last eight years, been funded, and no charge made for it by the Bank. Lastly, by the capital of the Bank, lent at 3 per cent. interest, three millions without interest, and other concessions, the public derived a benefit from that corporation of 490,000*l.* a year. He stated, that it was his anxious wish, and that of his brother directors, that what was fair and just between the public and the Bank should take effect; and he was confident the House might safely, as heretofore, leave the arrangement to them and Government, reserving to itself the undoubted right to sanction or disapprove the bargain when it should have been made. One principle, however, he must guard the House against, which was, the being supposed to connive at the restriction on cash payments longer than was absolutely necessary. If the Bank and the public were to participate in the profits on the supposed issue of an increased extent in consequence of the restriction, they would naturally and very fairly be supposed to have a concurrent interest in continuing it; and the best security for a wholesome limit to its duration would be taken away. He wished, and could with confidence say of the other directors of the Bank, that they were axious to maintain a limited issue of bank-notes, and to return to the payment of their notes in cash the moment it could be done with safety to the commercial and political interests of the state.

Mr. *Grenfell*, in reply to the hon. director, stated, that he did not propose any inquiry with regard to the private affairs of the Bank: but as far as the public were concerned with that body, he thought it the duty of the House to institute an inquiry, in order to secure to the public its due share of profits upon a course of dealing in which the Bank was a material gainer. He denied that his Resolutions contained any inaccuracy. As to exchequer-bills, he asked whether the Bank was not in the habit of depositing such bills at the Exchequer, in exchange for bank-notes, which bills bore interest not for the benefit of the public, but for that of the Bank? Also, whether the Bank was not in the habit of depositing special notes with the Tellers of the Exchequer, which notes could not be properly denominated Bank-notes, and which were not therefore included in the account of the issues of the Bank? If he was rightly informed, the answer must be in the affirmative, and this system furnished an additional source of profit to the Bank, without any due return to the public. With regard to the number of clerks employed by the Bank, it could not be pretended that any great proportion of those clerks was engaged in the public service. One hundred of them, indeed, were employed in superintending the issue of 1*l.* and 2*l.* notes; and as to the collection of the Property-tax upon the dividends, it was simply nothing more than this, that where a stock-holder was entitled to a dividend of 100*l.* the Bank paid him only 90*l.*, and how could the Bank pretend to demand any remuneration from the public for a thing which could not be said to occasion any trouble? But the case between the public and the Bank was shortly this, that the latter derived an increased profit of 80,000*l.* per annum from the restriction of cash payment, of which profit he maintained that the public was entitled to a fair participation, and to obtain that remuneration was the object of his propositions.

Mr. *Forbes* said, that the country owed a great obligation to the hon. member for bringing this question before the House, and added, that the Bank did not pay by any means a due commutation for stamp-duties; for it paid only 42,000*l.* a year on this score, while 160,000*l.* were paid by the private banks, although the latter did not issue half as many notes as the former. In order to ascertain the comparative issue of these notes, the hon. member gave notice of a motion on the subject.

Mr. *Grenfell* hoped, the hon. gentleman would make a motion on that subject; if not, he pledged himself to make it. He believed, that up to last month, the amount of bank-notes in circulation was 27 millions.

After a few words from Mr. Mellish, the question was put, and carried, that the further debate on the Resolutions should be adjourned to that day se'nnight.

Bill to prevent illicit Importation of Slaves.] Mr. *Wilberforce* rose, pursuant to notice, to bring under the consideration of the House, his motion respecting the registry of slaves in the British colonies. He felt a satisfaction, he said, in thinking that the measure which he intended to propose was one which involved no novelty of principle, but was, in fact, merely a supplement to the Bill for the abolition of the Slave-trade. It had been already adopted, to a certain extent, in the island of Trinidad, after a most mature and deliberate investigation, and had proved highly beneficial. He was happy to add also, that the principle of the measure was one which had received the decided approbation of the late Mr. Perceval, and which it had always been his intention to extend to those colonies which have colonial legislatures, as well as to those which had not. He was concerned to hear, however, that he might expect to receive opposition from many gentlemen in that House, who represented the West-India interest in it; and that opposition rendered it the more necessary that he should distinctly state the great principle upon which he intended to rest his measure. The object of it was not merely to check the various means by which the abolition laws were evaded or violated, but to prevent the continuance of the source of the evil itself. Many of his friends who then heard him would remember that, during the various discussions upon the abolition of the Slave-trade, it was constantly urged, both in that House and out of it, that no substantial benefit could be obtained, unless measures were devised to introduce those moral regulations with respect to the treatment of the slaves, which might secure a supply of slaves without looking to the slave-market for that supply. The great object of the abolitionists at that time certainly was to stop the supply from Africa, and thus lay the foundations for any superstructure which it might afterwards be expedient to raise. But it was impossible to do all that might have been wished, at once; and indeed he would frankly confess, that when the Slave-trade Bill passed, the friends of that measure did not dare to encumber it then with more extensive operations than at that time belonged to it. Now, however, the period had arrived when supplementary measures might not only be resorted to, but when in fact they were called for from the practices which undoubtedly existed in the West India islands. He most earnestly entreated those gentlemen, therefore, who intended to resist the motion he should have the honour of submitting, maturely and deliberately to weigh all the merits of it before they were induced to oppose it. He had been informed, from various sources of intelligence, that the illicit introduction of slaves into the West India islands (he was bound, in justice, however, to except the island of Jamaica) was still carried on to a very great extent; and a strong fact in confirmation of that intelligence was, that there had been but little increase in the price of slaves since the passing of the Abolition Act. Great and dreadful abuses also in the treatment of those unhappy beings still prevailed; and it was impossible, he feared, to expect any beneficial reform till some positive enactment took place, which should clearly render it the interest of those who had a property in them to promote their comforts, and secure the means of their increase without any possible supply from Africa. He was now contending for the happiness and benefit of the West Indian slaves; and undoubtedly if there were any means that could be proposed which would render completely effectual the Abolition Act, he could not doubt that the House would be earnestly disposed to promote them. He would therefore state to the House the measure which he had in contemplation for accomplishing that object. It was in fact by the means of registering the slaves. The House was aware that a register of them was already kept in every island; but it was not so particular and exact, as to render it a specification by which the identity of the slave could be ascertained. The mode of registry which he intended to propose would precisely accomplish that object; a duplicate or counterpart of it would also be transmitted to this country, where it would be preserved, and constitute the title of the owner to the negro; so that in order to prove that title or claim to a negro, it would be absolutely necessary to produce the register. The illicit introduction of slaves would thus be effectually prevented, as all frauds or falsification in that register would be subjected to heavy punishment. Such was the leading principle of his measure, which was so simple that it explained itself, and so safe and so useful, that he thought it would be laying the foundation-stone of a reform which would gradually operate through all the ramifications of West-Indian management with respect to slaves; and if such were the effects that might be anticipated, who that felt any interest in the welfare and happiness of those unfortunate beings, would hesitate to give his support to it?—With respect to the objection, that the measure would interfere with the colonial legislatures, he denied its cogency. The most enlightened of those legislators would also deny it. The paramount right of control on the part of the Legislature of this country, had been at all times acknowledged. On this subject the delusion would soon pass away, as it had passed away on the subject of the abolition of the Slave-trade itself—a measure which was now universally allowed to be one of undeniable justice and humanity. It was not to be expected that the colonial powers would resist the operation of this proposed measure; and were they to resist it, that resistance would be ineffectual. There were other considerations, of a much more powerful nature, to induce the House to accede to his proposition, arising out of the duty of Parliament to provide for the moral and religious instruction of the negroes; and thus to endeavour to make them some amends for their sufferings in this world, by opening to them brighter prospects of a future existence. Above all other circumstances, he had looked to the encouragement of marriage among the slaves, as a necessary and most beneficial consequence of the abolition of the trade. In Africa, it appeared from Park's account that marriages were very prevalent, and very rarely violated. In St. Domingo, after the slaves had vindicated their rights, marriages became universally prevalent, and were much encouraged by rendering unmarried men incapable of admission to high offices in the state. Adverting to the abolition of the Slave-trade in France, he observed that the character of Buonaparté justified the suspicion that he would endeavour to tamper with our islands, and thus the expediency was confirmed of attaching to ourselves as much as possible the negroes as well as the free coloured race; the recent admission of the last of which to the right of giving evidence on criminal trials, he had been very happy to learn. Another stimulus to a due attention to the interests of the negro population arose from the contemplation of the numbers of our brave soldiers who had fallen victims to their efforts. How desirable would it be to convert the slaves into a free and happy peasantry, capable of defending the islands which they inhabited, instead of endangering them by their presence! The legislature of Antigua had done themselves immortal honour by their resolution expressive of their willingness to accede to any plan of rational and practicable reform; and he trusted that, on cool consideration, all the rest of our colonies would see the advantage of imitating so liberal an example. He should be most happy to have them for his coadjutors in this great work. In conclusion, he moved for leave to bring in a Bill "for better preventing the illicit Importation of Slaves into the British Colonies."

Mr. *A. Browne* said, that he felt considerable difficulty in addressing the House, after the eloquent and impressive speech they had just heard; but he would not shrink from the task from any sense of personal inconvenience. The House would perceive in the explanation which the hon. member had given of the object of his Bill, abundant reason for postponing any further consideration of it, in the present advanced state of the session, even if they should be disposed to grant leave to bring it in; and indeed if the session were not so far advanced, considering how seriously the Bill affected the private interests of individuals unrepresented in this House, and who are removed to a distance from the immediate influence and protection of the government, and how seriously it affected the constitutional and local authorities of the colonies,—the House in its justice would feel the necessity of postponing any proceedings upon it, until the nature and object of the Bill was known to those who had so deep an interest in its enactments.

He regretted to find so much room for objection, both in the principle and in the detail of the plan, by which the hon. gentleman sought to accomplish the purpose of preventing the clandestine importation of slaves. Possibly no professions of his, with respect to a desire on his part to see the great work of abolition carried into effect, would be received with much credit by the hon. gentleman or those who acted with him. The noble lord over the way had not been free from that suspicion; and if after the anxiety which he had manifested to extend and perfect that great object,—if after all the great talent which he had employed to extend the influence of our opinion of the nature of this trade, to the other Powers of Europe, with a view to one common and general condemnation of it,—if after all his exertion, he had not escaped suspicion,—it was not for him to complain, if without such claims, or without, indeed, any claims whatever, he should be subject to the like suspicion. Undoubtedly, however, there had been no want of co-operation on the part of those members of the House, who were connected with the colonies, in any and every measure that had been devised to give effect to the abolition law. An Act had been passed to render the offence a felony, against which not a voice had been raised: and this year, an Act had passed this House at least, with very little objection, which had been thought elsewhere to be carried to an unnecessary and extravagant length. He was entitled, therefore, to say, that whatever difference of opinion the present proposition might occasion, that difference of opinion must proceed upon other grounds than a want of feeling to give effect to the *bonâ fide* abolition of the trade.

The present proposition involved something further than the mere preventing, by a prohibitory statute, any clandestine importation of slaves—it went to effect a measure of internal regulation in the colonies, and involved therefore the doubtful and hazardous question of the right of this country to legislate for the internal and domestic concerns of the colonies. It was subversive of the local constitutional authorities of their legislatures, and seemed to threaten with the most fearful consequences, the whole tenure of private property. The hon. member had employed himself, not for the purpose of satisfying the House, that in spite of the law as it stood, a clandestine importation of slaves had taken place, so as to make further measures of prohibition necessary; but he had used almost the whole of his speech in reprobation of the general system of the colonies, and to excite that general feeling which had been so useful upon former occasions: but he would confidently appeal to the House, whether, in a due regard to the consistency of their own proceedings, they ought not to be satisfied that the evil against which they were about to guard, did in point of fact exist, and that the law as it stood was insufficient to prevent it. The general system of the colonies, whether good or bad, was foreign to the present question: they were desired to give leave to bring in a Bill to prevent the clandestine importation of slaves. The Statute Book being full of Acts to prevent the carrying on any traffic whatever in slaves, and to make it a felony for any one to do so; surely before the House could be reasonably asked to make any further law upon the subject, it ought to be shown, in a regular parliamentary way, that the law was insufficient to prevent the offence, and that a clandestine importation had taken place. He himself did not believe that any such clandestine importation had taken place in any of the islands. The hon. member had admitted that there had been none in Jamaica. He (Mr. Browne) was persuaded there had been none in Antigua: nor did he believe, from any inquiries that he had been enabled to make, that any clandestine importation had taken place in any of the other islands. It was his intention, therefore, to move for a committee to inquire into the fact, as the necessary foundation of any further legislative proceedings. If it should be found that the evil did exist, he would go every length in his power to prevent it; but without the establishment of the fact by a parliamentary inquiry, he would not involve a whole class of men, unfortunately doomed to a residence in the West Indies, in a charge of so conniving to elude the law, as to make it necessary to render the offence more penal or more difficult to be committed. It was due to those whose characters were thus involved, and it was moreover due to the regular course of parliamentary proceeding.

But the hon. member aimed at something more than preventing any clandestine importation of slaves,—he aimed at a general power of legislating for the colonies; and this was the commencement of a system of interference on the part of this country, which was to effect a change conformably to the views of the hon. gentleman, but destructive of the whole tenure of property. It was unnecessary for him to give any opinion, at this period of the discussion, upon the right which the Parliament of this country possessed to legislate for the colonies, in matters of internal regulation; but the possession of a right, and the exercise of it, were two distinct things. If the right were possessed, undoubtedly it would not be fit to exercise it, without a strong case of necessity; without a due regard to the feelings of persons who were interested in it; and above all, without a due regard to that security and sanctity of private property, around which our constitution and our laws had thrown the impenetrable shield of their protection. If the measure of a registry of slaves be the best expedient that could be devised to prevent the clandestine importation of slaves, why not, in the first instance, propose to the colonies, under a recommendation from the colonial secretary, to pass a law to that effect themselves? What occasion was there for any great haste? Why not wait to see what they would do in the first instance? Why irritate their feelings by passing such a law here unnecessarily? They have delegated to them the power of legislating for themselves. That power cannot be interfered with (to concede for the sake of argument the question of right) without some imputation upon their own conduct, and without giving occasion for much dissatisfaction and discontent. Could it be necessary to risk all this? The purpose may be effected in a better way: if it should be found that they will not adopt the recommendation; if their sincerity with respect to the abolition should be doubted;—why, then it may be time enough to stand upon the right, and insist upon carrying the object into effect. There would then be some foundation for this extravagant proceeding, and the House would find its own justification in the necessity of the case: but as the case stood, without any parliamentary evidence of the existence of the evil—without having ascertained whether the legislatures themselves will do, of their own accord, that which the House is required to do for them offensively and injuriously; it would be highly unwise for the House to go the length that the hon. gentleman had proposed: it was not necessary for the purpose which the hon. gentleman professed to have in view, and if it was necessary for other purposes, surely it became the House to look upon it with some suspicion, and to consider its probable effect upon the general interests of the colonies, which had been established by the Parliament of this country, at the best period of its history, and continued during a period of two centuries. These were considerations not to be overlooked, not to be sacrificed to the wild and indigested theories of those who seemed to be exclusively occupied in the general emancipation of the negroes. The House would not disregard the moral duty while they were endeavouring to benefit the one description of persons, not to do a vital injury to the other. As the Bill, however, could not be proceeded upon this year, he would, for the reasons which he had stated, move as an amendment to the motion of the hon. gentleman, "That a committee be appointed to inquire whether any clandestine importation of slaves into the colonies had taken place since the Abolition Act."

Mr. *Protheroe* was not only desirous of promoting by every means the great object of the entire abolition of the Slave-trade, but he was even desirous of lending his support to the plan which his hon. friend had now brought forward. But while he said this, he owned he was also a good deal struck with what had fallen from an hon. gentleman who spoke last. It became the House, in a business of consequence, not to proceed with any undue haste. Did his hon. friend think that it would be possible to proceeed through the Bill in the present session, and that an affair of so great interest to the colonies should be decided on without affording them an opportunity of expressing their sentiments? He was not very sanguine, however, in his expectations, that the colonial legislatures would adopt this measure; and it was the less likely because the measure was brought forward here, as they would consider it an infraction of their rights. He was willing to allow that the Legislature of the parent country had a paramount right to legislate for the Colonies; but the exercise of that right ought to be determined by the combined consideration of the importance of the object, and the possibility of its being effected. He hoped his hon. friend would move for the appointment of a committee, that the result of their labours might be laid before the House in the next session.

Sir *John Newport* said, if the lateness of the session was prejudicial to the consideration of the Bill, it was equally unfavourable to the formation of a committee. What would the committee do? They would prepare a Bill, which would lie over from next session to the following. He deprecated the proposed delay, and thought that this blessing ought to be conferred on these unfortunate individuals at as early a period as possible. In all the colonial legislatures the members must be guided by the feelings of the people whom they represent, and the imperial legislature ought to interpose its authority in a case of this consequence.

Mr. *Marryatt* thought, in justice to themselves and the colonies, that the House ought to have a legislative foundation to act on. He considered the committee from which this measure proceeded, as by no means the safest guides for the House. By their construction of the Abolition Act and our Treaties with Spain and Portugal, which had been sent to all commanders of vessels, numerous captures had been made of vessels belonging to those countries: and our Government had been obliged to pay Portugal 300,000*l.* for vessels unjustly captured, and Spain was claiming two millions of dollars on the same account, which he had no doubt we should be obliged to pay. This was brought on the country by the abolitionists taking on themselves official authority, without being in official situations. It was not only a loss of money, but a loss of national honour, and we owed it to the African Institution. He thought the African Institution had not dealt with candour by the public—they had published only the documents in their own favour, but had withheld other documents which were of a contrary description. He would instance the unfairness of suppressing a letter from the governor of Sierra Leone, for eight years, which had lately come out. In the publication of the late mission of the late unfortunate Mungo Park, they had given statements with a view of establishing the increase of the domestic industry of the natives of the country round Sierra Leone, which when properly explained would bear no such construction. They had obtained reports from all the governors on the coast of Africa in answer to questions respecting the progress of agriculture and domestic industry among the natives since the abolition, stating that there had been none whatever. But all these reports were suppressed. This was hardly fair. He did not impute any unfair motives to the body of the African Institution; but he contended that they had not had sufficient time for the consideration of all the subjects before them, and that they had entrusted these matters to individuals who had not dealt with candour towards the public. The arguments in favour of clandestine importation, derived from the comparison of returns in the island of Trinidad, were by no means conclusive, as the old returns were extremely defective. He could say that no less than 51 estates had been abandoned in Trinidad for want of negroes to cultivate them. The negroes had decreased in number in that country. In Grenada the same thing had taken place. A poll-tax was laid on the negroes of that island; and from that tax it appeared that the number in 1808 amounted to 26,109, and in 1813 only to 22,565. It had been contended that no amelioration had taken place in the condition of the slaves since the abolition; but he could say that a great amelioration had taken place in the island of Grenada, the colony with which he was best acquainted, where before the abolition the slaves worked day and night, and were divided into gangs, as on board of ships but this practice had been abolished. The expense of the returns in Trinidad had been enormous, and the proprietors of slaves had been put to a great deal of unnecessary trouble. It had been said, that without such a registry as that proposed, no man could prove his freedom; but every man who resided in the West Indies could have no difficulty in proving his freedom. It was no uncommon thing for slaves to run from one island to another, where they gave themselves out as free men: this description of people would be protected by the proposed measure. A man who was really free, took out a passport when he left a place, and it was impossible then to molest him. Registers of the sort proposed would be of use to criminal and run-away slaves, but of no use to innocent people. A good deal had been said about colonial rights:—he was not now disposed to deliver an opinion on the subject, but he knew what opinions had been delivered on the subject during the American war. The Act of the 18th Geo. 3, renounced the right of raising money in any of his Majesty's colonies, without the consent of the assemblies of these colonies. This Bill was in effect a Money-bill; for it would operate as a tax on the people. We ought to recollect, that by persisting in the question of right we lost America. We ought to recollect, also, that the same object might be attained another way. If we did as the hon. gentleman wished us, we should only be raising up a stone wall to break our own heads against. We had only to prohibit the lending any money to any colony which did not agree to such a register as that now wanted. If we acted as the hon. gentleman recommended, we might perhaps light up a flame between the mother country and the colonies, which would one day be deeply deplored. He hoped the hon. member would withdraw his motion for the present.

Mr. *F. Douglas* condemned the traffic on any grounds as immoral and abominable, and trusted that no opportunity would be lost of ameliorating the condition of the slaves. He was strongly in favour of the motion; he felt as anxious as any individual for the safety of our colonies; but saw no danger that could result to them from the regulations proposed. It would appear extraordinary to all Europe if we should now, out of delicacy to our own colonies, abstain from fulfilling the intention of the Act of Abolition.

Sir *Samuel Romilly* thought it was deeply to be lamented, that so long time should have been suffered to elapse before the supplementary measure of his hon. friend had been brought forward. The establishing a registry of slaves, and declaring all persons not found in the list to be free men, was the only way by which the illicit trade in slaves could be prevented. It was nothing more than establishing a registry of real property, and securing slaves to their owners, in the same way as it would secure to them their cattle. He lamented that the Act for the Abolition had scarcely at all tended to ameliorate the condition of the negroes. It was only in Jamaica that free men of colour were now permitted to give evidence in civil causes. In all the British colonies, it appeared, that any man not of a white complexion was presumed to be a slave, and any man who stole his certificate from an unhappy black who had procured his freedom, stole from him his liberty. Every black man was in all these islands *primâ facie* a slave, unless he was able to show that he had obtained his freedom; and it was even common for negroes to be seized, and sold, to pay their prison fees. All, therefore, that the measure would effect was, to enable these unhappy people to prove themselves free when they were so. The Parliament of this country, when it imposed laws on the colonies, had found, as it ought, that they had been implicitly obeyed. The assemblies, who thought that a British governor ought not to interfere with the colonial laws between the whites and their slaves, ought to be convinced of their error. If such notions as the legislative assembly had presumed to entertain,—that the killing of a slave was only to be punished by a fine of 18*l.* yet continued,—they could not be too soon undeceived. The hon. and learned gentleman then proceeded to reply to all the objections of Mr. Marryatt, and concluded with observing that the measure recommended was not even one of experiment; as a registry of slaves had been established at Trinidad, St. Lucie, and the Isle of France. He commented on the cruelties that had been proved to have been committed, by the flogging of negroes in the severest manner; and, alluding to the execution of a planter some time ago for the murder of his slave, when the governor was obliged to call out the militia to prevent him from being rescued, he asked what the House must think of such a deplorable state of society, and whether they could go home that night and sleep with tranquillity, if they did not unite to adopt a measure that must improve it.

Mr. *Barham* declared he would go as far as any man for emancipation. He thought the measure proposed both important and excellent; and might even be much improved in time. He wished a ground was laid for the proceeding by a previous committee. He thought the title of the Bill assumed the fact that there still were illicit importations of slaves; and this was a circumstance well worth inquiring into; otherwise the registry of slaves as now proposed, would be so incomplete as not to be of any use. He denied the truth of the contents of a pamphlet, issued under the sanction of the African Institution, and which they appeared to have fulminated as their manifesto. A committee of inquiry into the condition of the slaves would be highly desirable and judicious. But as to the motion before the House, he regretted that he could not consistently vote for it.

Lord *Castlereagh* agreed with his hon. friend who spoke last, that it was extremely desirable to know the extent of the evil which was meant to be cured. He thought it highly proper to ascertain whether any illicit traffic was continued or not. His Majesty's ministers, having pledged themselves to facilitate every measure that would tend to abolish the Slave-trade, must stand pledged to support such a measure as that now proposed. He was, however, afraid of the delusion that might prevail in the colonies against it; and that it would, therefore, if precipitated, be attended with danger, and fail in its object. If there was not virtue enough in the people of Jamaica to second such a measure, what good could be hoped from it? On this ground, therefore, it ought to be made fully understood, before it should be carried into execution. The Crown had done much to facilitate the measure, and a very great support might be expected for it from all the islands, if we did not act with too much precipitation. It appeared to him that by pursuing the measure more deliberately, all disgust might be done away. He should think it most important if the colonies were to carry this measure into effect by their own legislature; this would be a great triumph to the cause. In order to give the colonies time to understand the measure fully, he trusted that his hon. friend would not object to any reasonable delay in carrying it through the House, instead of precipitating Parliament into an arrangement that might be attended with some evil consequences. There was every reason to hope, that all the European Powers would shortly join in stopping all the supplies from Africa; and he was sure that if we could persuade the colonies to pass this measure voluntarily, in the spirit in which it was meant to operate, that it would be far more beneficial than forcing upon them a law from Parliament, which they might try to circumvent. He trusted that his hon. friend would, for these reasons, pursue the measure with as much prudence as he did zeal; and though he was not disposed to support him in proceeding further with his motion this session, yet he firmly hoped it would be ultimately effectual.

Mr. *W. Smith* declared, that he felt great weight in what had been urged by the noble lord; but in his own opinion, there was no ground for the committee: it might do much harm, and could not do any good, as proof would be wanting of the illicit traffic. He thought much good might result from a general law that should be applicable to, and operate upon all the colonies at once. He had no hope of the colonies taking up the measure on their own account. The hon. gentleman, to support this opinion, read a petition from the free people of colour to the assembly in Barbadoes, in 1811, on their being debarred from giving evidence; it stated, that the lower orders of white people entered their houses and treated them with gross outrage and indecency, without their having any redress, because they could not give evidence. Yet this petition, requiring so humble a boon, was treated with the utmost contempt, and these free people were still in the same situation as when their petition was presented; this would show that the British parliamentary interference was, as the noble lord had termed it, the last resource. He had no wish to press the measure this session, but he felt convinced that it was the only one which would be found effectual.

Mr. *Wilberforce* shortly replied. He acknowledged that the session was so far advanced that it might not be advisable to press forward a measure which might meet with opposition in all its stages. He should therefore yield to the general wish of the House.

Mr. *A. Browne* withdrew his amendment, after which leave was given to bring in the Bill.

SUBSIDIARY TREATIES.] On the Report of the Committee of Supply being brought up, and the Resolution being read for the grant of one million to Sweden,

Mr. *Ponsonby* adverted to what he had said in a former session, as to this transaction ending in a positive pecuniary loss to Great Britain: he contended that the whole of his prophecy had been literally fulfilled.

Lord *Castlereagh* also repeated what he had said at that time, namely, that it was extremely desirable to give a French possession to Sweden to secure her co-operation in the general cause. He had predicted the beneficial consequences that would result from this co-operation; and he would contend, that all he had said had been as much fulfilled as the predictions of the right hon. gentleman.

Mr. *W. Smith* felt it necessary to take up the subject in another view. He wished to know why we alone were called on to pay the million for the redemption of Guadaloupe, while the measure from which it had arisen had been for the general advantage. He alluded to the transfer of Norway, and said he was happy to hear that the people of that country were by no means so dissatisfied with the change as it was at first believed they would be.

Mr. *Ponsonby* rose to enter his protest against the Treaty concluded with the King of the Netherlands, by which England was bound to advance a sum of money for Russia. He could not see that any British or European object was connected with this arrangement. The engagements entered into in the present year were more expensive than any ever made before, though they were contracted at a time when the country was least able to bear such burthens.

Lord *Castlereagh* defended the policy of the Treaty, and shortly repeated the arguments he had used on a former night, to prove the arrangements which had been made were neither unnecessary nor improvident.

The Report was agreed to, and a bill ordered.

HOUSE OF COMMONS.

Wednesday, June 14.

ROSEBERRY DIVORCE BILL.] The House went into a committee on the Roseberry Divorce Bill. Mr. Topping and Mr. Jones appeared before the committee as counsel in support of the Bill, and were heard. There was no counsel in attendance on the part of lady Roseberry. The witnesses necessary to support the case were then called in and examined. After which the counsel withdrew. The clauses of the Bill were then read. Upon the clause for making provision for the countess of Roseberry, and allowing her 300*l.* per annum for her life, being read,

Mr. *M. A. Taylor* rose and said, he did not think the sum proposed in this clause sufficient to provide lady Roseberry with the common necessaries of life. He was one of those who could not accede to the opinion of the late lord Thurlow—an opinion which seemed, indeed, to have crept into the minds of many individuals, that after a woman has committed an act of adultery, she ought to be turned naked into the streets, without the means of sustaining existence. He had opposed many divorce bills which had been framed upon this principle, and therefore the less surprise would be felt at the course which he conceived it his duty take on the present occasion. He would appeal to the feelings of the House, whether it was possible for lady Roseberry, after the splendour in which she had been accustomed to live, to support herself upon the miserable pittance of 300*l.* per annum. It might be said, that this limited income must be considered as a part of the punishment of her crime. He was as little inclined as any man to become the apologist of lady Roseberry; yet he thought the punishment she had already encountered, in being driven from society, and shut out from all those domestic joys, as well as social comforts, to which she had heretofore been accustomed, was punishment sufficient, without casting her upon the world to starve. Entertaining these feelings, he thought the House would think it but justice, if an addition of 200*l.* was made to the sum which this clause proposed. An income of 500*l.* per annum would then be given to this unfortunate lady, which would at least preserve her from the necessity of contracting an improper alliance, and enable her to pursue the paths of virtue and integrity. The means of lord Roseberry were ample, and he conceived his lordship would feel no reluctance in making this additional provision. To a succeeding clause he had also strong objections, but he should reserve himself upon that subject till the present clause was disposed of. The hon. and learned gentleman then moved the addition of 200*l.* per annum to the 300*l.* already proposed in the Bill, as the allowance to lady Roseberry.—On the question being put,

The *Attorney-General* suggested the propriety, as his hon. and learned friend had intimated an intention to oppose another clause of the Bill, which he had no hesitation in anticipating to be the clause interdicting the marriage of lady Roseberry and sir Henry Mildmay, of postponing the consideration of the present clause until that question was disposed of; as, if the House permitted the marriage to take place, which he trusted would not be the case, the clause allowing maintenance would come in a very different shape.

Mr. Taylor agreed to postpone the clause. On the clause for forbidding the marriage of the countess of Roseberry with sir Henry Mildmay being read,

Mr. *M. A. Taylor* again rose, and declared his hostility to this clause. Many attempts, he said, had been made to introduce a general law applicable to offences and cases of this description, all of which had hitherto failed in their progress through the legislature. In 1771, and in 1779, the same effort had been equally fruitless. In 1800, the Bill commonly called Lord Auckland's Bill was introduced, and met in that House with a like fate. That measure had two purposes in view, the first to render the adulterer amenable to the criminal law, by constituting his offence a legal misdemeanor; and the other to prevent marriages between the offending parties. So far, however, was this measure from meeting the approbation of the first civilians of that day, and so adverse was it to the general feeling of that House, that it was at length abandoned, and had never since been resumed. He knew that the consequence of this refusal on their part to pass the Bill had been, that the Lords had made a standing order against agreeing to any Bill of Divorce, which should not contain a clause to the same import and effect, as far as related to the interdiction of marriage. This standing order had, however, already been dispensed with in several cases, and he apprehended ought to have no weight on any occasion in the deliberations of that House. His own opinion decidedly was, that looking at the present case with all its attributes, and in its deepest colours of aggravation, there was nothing to induce Parliament to legislate on the principle, that this was a new case, or one that required a particular enactment. As far as it stood distinguished from other offences of criminal conversation, the distinction arose from the institutions of the canon law and the relationship between the parties. But there were degrees of consanguinity prohibited by the canon law, which did not impede the act of marriage under the ordinary administration of the common law. He believed, that of every hundred marriages which were solemnized in this country, three were contrary to the express ordinances of the ecclesiastical canons. There were old canons, indeed, which prohibited marriages not likely to take place, such as marriage with a grandmother: but there were also prohibited cases which, in his own knowledge, were constantly recurring, such as marriage between cousins, and marriage with a brother's widow. Why, then, he wished to know, if there would have been no impropriety, or departure from the usages of society, had marriage taken place between lady Roseberry and sir Henry Mildmay, supposing no obstacles to have stood in the way, and no crime to have been committed, was this circumstance of relationship now to be converted into an objection to that marriage, or into a heightening feature in their offence? He trusted he was too well known to be supposed indifferent to the interests of morality, or the importance of public decorum. He was not aware that he was subjecting himself to such misrepresentations; and he could assure the House that he had no acquaintance with either of the parties in this unfortunate transaction. What he considered was, that as the canon law did not avail as a general rule, it was not necessary, either in common sense or common justice, that the offender in this instance should be driven an outcast from society, without any chance or means of returning to character and respectability.

The *Attorney-General* protested against the doctrine, apparently assumed by his hon. and learned friend, that all those who opposed the Bill of lord Auckland in 1800, were bound by that vote to give the same opposition to the present clause. As little did he think his hon. and learned friend justified in supposing, that any enactment of mere privilege in the other House ought to influence the deliberations of the House of Commons, or provoke them to a belief that their own privileges or legislative authority had been infringed. It was with perfect astonishment he had listened to the statement, that of every hundred marriages celebrated in this country, three at least were contrary to the canon law. His own observation led him to a conclusion very different indeed from any belief, that incestuous marriages were thus frequent, or that the injunctions of the spiritual code were thus daily violated. The first plain question for the House to consider was—what was the nature of the crime itself, stripped of its adventitious deformity, of all its peculiar and more odious characteristics? It was the crime of depriving a worthy and innocent man of what was most consoling and valuable to him in this life; it was the crime of depriving four young children of the care and attentions of their maternal parent. But, said his hon. and learned friend, this is an ordinary offence; why take this out of the disgraceful catalogue, and stigmatise it with any marked or added severity? Was there, then, no incest in this crime—was there no blood in it—was there in all its circumstances nothing beyond the impropriety of an individual seducing his friend's wife? It could not be meant that there had been no affinity, no trust nor confidence arising from affinity, beyond the common intercourse of friendship, or the ordinary civilities of society, in the case now under consideration. It was impossible that this should be contended. In this country, happily, men felt secure under the guardianship of public law and public morals. It was not necessary that their vigilance should be ever awake, lest their domicile, or their chamber itself, should be insulted and profaned. Much did he believe the sanctity of morals, and the purity of domestic life, to be interested in the conduct of that House in cases like the present. His hon. and learned friend had, he did not know whether ludicrously or not, alluded to the prohibitions of the canon law, and the illegality of a man intermarrying with his grandmother: but his hon. and learned friend would not deny, that the evil existing in the world must be increased to an indefinite extent, if it was allowed to increase in the same proportion as the trust and hospitalities of consanguinity should establish an intercourse without suspicion or reserve. It had been well said—Admit such a principle, and it will behove you to take care of your nurseries. His hon. and learned friend had described it as a common case; he solemnly declared, that, in his own experience, he had not met with one equally atrocious. To him it appeared that it would have been more natural and excusable in sir Henry Mildmay, to have poisoned the mind and debauched the body of his own sister, born of the same womb, and trained by the same hand, than to have planned, conducted, and consummated the ruin of lord Roseberry's family, under all the circumstances by which that ruin was accomplished and attended. Let the House suppose for a moment that lord Roseberry had entertained some apprehensions, and expressed to his hon. and learned friend, or any other person, a wish that sir Henry Mildmay would not repeat his visits; what would, what must have been the observation of his hon. and learned friend? Would he not have said, Good God! how can you receive such an apprehension into your mind; was he not the husband of your wife's sister recently deceased? is it strange that he should find a willing audience, that they should find a mutual consolation for their common loss in retracing those ties and affections which had bound them to so near a relative? Was not this the man, he would ask, to whom the doors of a confiding friend would naturally fly open? Was it a common case for a man so situated to destroy the happiness of an affectionate husband, and deprive children of a mother, bearing a resemblance to his own deceased wife, and whom he was by the same act plunging into infamy and dishonour? The House, he trusted, would not proclaim to the people of England, that they must no longer trust to the habits of society, to the feelings of mankind, to the principles of morals, lest the individuals whom they were the last to suspect should betray their quiet for ever. By the law, as it stood at present, if the intermarriage of these parties was permitted, all that the omission of this clause could do, would be to legitimatize the future offspring to the prejudice of the offspring born before marriage. He doubted, indeed, if such a marriage was likely to take place, even if not prohibited. Those who triumphed over female chastity soon became tired and disgusted with their victims. Frail and treacherous was the hope that rested on the faith and fidelity of an adulterer. Claims in law or in public justice lady Roseberry had none; what she had on the justice of sir Henry Mildmay he should not pretend to describe: but what he wished to impress on the House was, that the purity and sanctity of social and domestic life were immediately involved on this occasion; that the sentiments and securities of family honour, and that the dignity and solace of private life, all that secured the paternal home, and the relation of brother and sister from pollution, were in a great degree at stake, and had been all outraged and violated by the libertinism of sir Henry Mildmay.

Mr. *M. A. Taylor* thought, that the commmittee should be on its guard against the eloquence of the right hon. and learned gentleman, whose argument appeared to him in the nature of an address to a jury to obtain large damages. He considered that the case had been much exaggerated, by terming it an incestuous intercourse. He believed that there were numberless marriages in this country which might be void by the strict application of the canon law. He knew many men, of the most respectable character in other retpects, who had married their first wife's sister. If there was already a law upon the subject, why should not the present case be left to the operation of that law? It had been said, that it was probable that lady Roseberry would be ultimately deserted by sir Henry Mildmay. Much, however, as he condemned the crime which sir Henry Mildmay had committed, he did not believe that he would desert her, or that any gentleman would desert a woman in those circumstances. He could not conceive that it would be any disgrace to the House to strike out that clause, or even to permit the parties to live together in an honest way. If there was at present any law against their marrying, a process might be instituted in Doctors' Commons to prevent it, and there was no occasion for the special interference of the House upon the subject. He did not require the eloquence of the hon. and learned gentleman to make him feel that it was a great crime to go into the house of a brother-in-law, and seduce his wife. Bad as the thing was, he conceived that it had been much exaggerated in the description.

Mr. *Lockhart* thought, that his hon. and learned friend need not complain of the eloquence of the Attorney-general, as it appeared to have made so little impression on him. His argument, however, had been bottomed on the opinions of all the best writers upon the subject. They all described the crime as most peculiarly destructive to public morals, when committed by persons to whom affinity or propinquity afforded the most unrestrained intercourse. They therefore conceived, that the strongest prohibitions were necessary to prevent the crime from being committed under those circumstances. The canon law had determined that such marriages were incestuous, and he saw no reason to contend against that interpretation which the English law had adopted. As to the question of privilege as between the two Houses, he conceived that every case stood upon its own merits, and that this was a peculiar case, which ought to be excepted from the common rule: Here it was evident, that the canon law was not hostile, but auxiliary to public morals. He should, therefore, vote for the adoption of the clause, on the ground of the peculiarity of the case.

Mr. *Wynn* said, that the insertion of the clause in the present instance did not bind the House to the adoption of a similar clause in other cases, because a divorce bill was at all times a special interference of the Legislature, which they might fashion according to their discretion. There had been a precedent for the admission of a similar clause in Campbell's Divorce Bill in 1801, in which it was specially inserted to meet the objections of some members, that the forbidden marriage would have been incestuous—such a declaration might be inserted in the present Bill.

Mr. *W. Smith* was ready to vote for the clause, as he considered the present case a very aggravated one. He could not vote for it, however, if there was any statement of the connexion being incestuous, as he did not consider it to be so. If it was declared incestuous, it would exceedingly hurt the feelings of many very respectable people who were now married to the sisters of their former wife.

The Committee then divided: For the clause, 111; Against it, 20:—Majority 91.

Mr. *M. A. Taylor* could not avoid bowing to the decision of so large a majority, although he had felt it his duty to urge those arguments which pressed upon his mind. He now came before the committee in another capacity, and must intreat them to consider whether, if lady Roseberry should still have virtue enough left (as he hoped she had) to quit the connexion with sir Henry Mildmay, it would be right that she should be reduced to the miserable pittance of 300*l.* a year, which would be totally insufficient to support her in that sphere of life to which she had been always accustomed. It would be insufficient for her existence in any kind of comfort, even although she were always to live as an exile in a foreign land. He concluded by moving as an amendment to the clause, that an additional 200*l.* per annum should be allowed for her maintenance.

Mr. *Preston* supported the amendment, as lady Roseberry had lost the benefit of the jointure of 1,500*l.* a year, which had been settled upon her at the marriage.

Mr. *Lockhart* wished, that the hon. gentleman could inform the committee what was the fortune which the lady brought?

Mr. *Taylor* said, that he was not acquainted with either of the parties, but he understood that her fortune was 6,000*l.* which in the 3 per cents. gave 10,000*l.* stock.

Mr. *Bathurst* could not agree with the hon. gentleman (Mr. Taylor), that the fund for producing the moral effect which he had anticipated should be taken out of the fortune of lord Roseberry. This would be leaving no discretion at all to the husband to improve her circumstances, if she reformed her conduct, but would be directly carving out of his fortune that which ought to be left entirely to his generosity. The interest of the fortune which the lady brought was now to be given up to her; and he saw no reason to compel the husband to provide out of his fortune for her future morality. He thought that the House had no right to dictate to him what he should give to lady Roseberry, in case of her repentance and reformation. This should be left entirely to his own feelings. The argument of the hon. gentleman would go to this extent, that if any woman was elevated above her rank in life by a marriage, she immediately became entitled to be supported out of the fortune of her husband in that rank, however she might forsake her duties as a wife. If the interest of lady Roseberry's fortune, 300*l.* a year, was stated to be quite incompetent to her support, he could not see upon what principle the House could undertake to carve out of the fortune of lord Roseberry such an income for her as would satisfy the hon. gentleman.

Mr. Serjeant *Best* could not conceive how it could be contended, that a lady who had conducted herself as lady Roseberry had done, was as fully entitled to the jointure settled on her at the marriage, as if she had lived with her husband in the performance of her duties. He could not see what claim the lady possessed, upon any principle of justice, upon the noble lord. If she had any claim on him, it was merely on his humanity; and from the character of the noble lord, he had no doubt, that whatever claims of that sort she might have, would be attended to as much as they deserved. It was not for that House to regulate the feelings or the bounty of the noble lord.

Lord *A. Hamilton* spoke in favour of the amendment.

Mr. *Abercrombie* thought, that when lady Roseberry came to that House to demand a favour, it was for them to consider on what terms it should be granted. It was, then, competent for the House to judge whether 300*l.* per annum was sufficient provision for her. As to the opinion expressed by an hon. and learned serjeant, as to what lord Roseberry's feelings would probably induce him to do, this would have great weight with him if he conceived it as coming from any person authorized by his lordship to make such a statement; but as a mere opinion expressed in debate, it should not prevent him from voting for what he thought would be a proper provision for the lady.

The Committee then divided upon the

Amendment:—For it, 69; Against it, 16;—Majority 53.

The Budget.] The House, on the motion of the Chancellor of the Exchequer, having resolved itself into a committee of Ways and Means,

The *Chancellor of the Exchequer,* in rising to submit to the committee the terms on which he had contracted a loan that morning, could not but regret that circumstances had made it necessary for him to propose that a provision should be made for the prosecution of a war on the most extensive scale, while the country was yet labouring under the burthens thrown upon it by a former contest. It would be in the recollection of the committee, that but a few months had elapsed since that House was employed in debating what provision would be necessary for the peace establishment of the country, and by what means the nation should be gradually released from the charge of the expenditure imposed upon it by the events of the late struggle in the cause of Europe. Scarcely, however, had the ratification of the Treaty of Peace with America arrived, before circumstances occurred which had led to a renewal of the war with France. The circumstances which had attended the landing of Buonaparté in France were of a nature so extraordinary and unprecedented, that they could neither be by possibility foreseen, nor prevented by any act of the British Government; and they were felt throughout Europe as an electric shock, which in a moment rouzed all its nations into arms. The Declaration of the Allies of the 13th of March, issued at a time when it was not possible for them to have had any communication with this country, proved that the impulse had not been given by England, but that it was the opinion of all the great Sovereigns on the Continent, that with a government like the present government of France, whose authority rested in no right—which was founded on oppression at home, and insatiable ambition abroad—there was no safety for them but in war; satisfied as they were, that such a power would labour to effect the subjugation of Europe, if it were not overpowered itself. This country had at that time made some progress in the reduction of its expenditure. The American war was at an end; but at the same time large demands were existing against the nation. Though this war was closed, it was still necessary to provide for the return of our army from America, and also for the paying off of the large arrears which remained in consequence of that contest in Europe which had preceded it. These circumstances being taken into the consideration of the committee, they would not wonder that a loan, in its amount beyond all example, should be called for; and he trusted that it would not be thought too great, when it was remembered that it was intended to meet not only the charges of a new war in which we were engaged, but also to extinguish the arrears of an old one. Though he regretted the necessity for it, still he could not but derive some consolation from the reflection, that the manner in which it had been raised would prove to the world how large were our resources, and how prosperous the state of the country. Undoubtedly it was satisfactory to him, that great as the sums called for were, and extensive as were the charges which the country had to bear, he had no reason to comment in detail upon the different articles which caused this expenditure, as they had already undergone the consideration, and for the most part received the sanction of Parliament. He had only to recapitulate the supplies which had been granted; and what were the means by which it was proposed that they should be met. There might be some further expenses to be provided for, which in the course of his statement he would take an opportunity to point out. The total amount of the charge for the service of the Navy for the present year was 14,897,000*l.*, and for Transports 3,747,000*l.* making together the sum of 18,644,000*l.* Here, however, it was to be observed, two millions were included for the repayment of the Navy Debt, and which therefore formed no part of the service of the current year. The different expenses on account of the Army amounted to 13,876,000*l.* The arrears of the Extraordinaries unprovided for, were 11,983,000*l.* For the Extraordinaries of the current year, including Ireland, a sum of no less than 12,000,000*l.* had been voted. The charge for the Barrack Service was 99,000*l.*, which had not yet been voted, but which would be proposed in the Committee of Supply the same evening. This sum would appear uncommonly small; but he would shortly assign the reasons which might be expected to render it sufficient, and any further circumstances requiring notice would be fully explained by his right hon. friend in proposing the vote. The total amount of the sums called for on account of the Barrack Service, was 250,000*l.* The difference between the sum last mentioned and the 99,000*l.* proposed to be voted, was occasioned by a saving arising from the sale of the old stores, and of barracks no longer necessary for the public service. The Commissariat caused a charge of 1,100,000*l.*; the Storekeeper-general one of 91,600*l.*; giving a total on account of the Military Service, of 39,150,000*l.* For the Ordnance Service, the supply was 4,431,000*l.* For the expense of Subsidies this year to the Allies, the House had voted 5,000,000*l.* They had also voted 1,650,000*l.* for the re-payment of the Bills of Credit created under Act of 1813; but there remained other expenses to be provided for, arising out of the deficiency of the force which we were bound to maintain on the Continent by the additional Treaty of Chaumont, and out of some other subsidiary engagements. On account of the Supplementary Convention of Chaumont, (he was not sure the sum he was about to name was quite correct, as the accounts were not finally made up, but he was satisfied it would prove nearly accurate), there was a charge of 370,000*l.* To complete the Subsidies granted to Austria under former treaties, a sum of 400,000*l.* was necessary. This arose partly from the circumstance of some stores which were intended to be delivered for the Austrian service, having been otherwise employed; and of some other stores having been charged in the Subsidiary Account which it had been agreed to omit, and the value of which in both cases was consequently to be made up in money. The greater part of this sum had already been paid, and the account had been laid before the House. He had stated the Bills of Credit voted by Parliament, to amount to 1,650,000*l.* There remained the sum of about 200,000*l.* to be made good to complete the two millions and a half, which we were bound to provide by the Treaty, together with the interest due; but for this sum he should not propose any vote in the present session, as its amount could not exactly be ascertained, depending on the course of exchange. There was also due to Russia on engagements contracted during the former war, the sum of about 530,000*l.*; 100,000*l.* had been paid to Spain, and 200,000*l.* to Portugal, on a similar account; and a sum was also due to Hanover. He considered himself as justified in stating the supplies for these services, the accounts of which were under the examination of the House, to amount to about 3,500,000*l.*; which, with 1,000,000*l.* voted as a compensation to Sweden for the cession of Guadaloupe, made a charge of 4,500,000*l.* for foreign expenditure; of which, about 4,000,000*l.* would be payable within the year, in addition to the 5,000,000*l.* voted as subsidies to the three great powers, Austria, Russia, and Prussia. The total amount therefore of the charge for foreign payments, including bills of credit, was 9,000,000*l.* He should have besides to propose to Parliament a vote, to make good to the army which had fought under lord Wellington the amount of the value of stores captured by them in different fortresses. This charge, not being altogether of an ordinary nature, would require some explanation; but he trusted that, though considerable in its amount, it would be received with favour, in consideration of what that army had achieved for the glory and advantage of their country. On the reduction of a fortress an estimate was commonly made of the value of the stores captured, which were applied to the public service, and afterwards accounted for to the captors. During the war in the Peninsula, the account had been kept in the usual manner, but no payment had yet been made; and from the extent of the service performed in the course of a war which had continued for seven years, this charge formed a considerable item; it was estimated at eight hundred thousand pounds: to this the sum of 142,000*l.* was to be added, for the stores and artillery taken at the capture of the island of Java. It was proper here to observe, that in the operations against that island, no part of the Royal Artillery was employed. The artillery which was used there was directed by the officers of the East India Company's establishment; and therefore the usual certificates, signed by the officers of the Royal Artillery, could not be obtained. In all other respects the ordinary forms had been observed, and the captors appeared to be entitled to the same remuneration as had been made in other cases when fortified places had been captured; but though the service performed was thought to come within the ordinary principles, and though the honour and accuracy of the Company's officers were as unquestionable as their skill and gallantry, the Ordnance Department had not thought proper to issue an order for the payment of the sum which appeared due, without first having the special authority of Parliament to do so. He now came to the Miscellaneous Services. Of these a great part had been already voted, but a part still remained for the future consideration of the House. The amount of the whole he took at 3,000,000*l.* The supplies, then, which he would now shortly recapitulate, stood as follows:

1814.	SUPPLIES.		1815.
	Navy - -	14,897,255	
	Transports -	3,746,945	
			18,644,200
	Army - - - - - - - -		39,150,736
3,955,658	Ordnance - - - - - -		4,431,643
	Foreign Payments, including Bills of Credit - -		9,000,000
3,000,000	Vote of Credit - - - -		6,000,000
200,000	Ditto for Ireland - - -		200,000
	Army Prize Money - -		942,347
2,500,000	Miscellaneous - - - -		3,000,000
			£. 81,368,926

To these were to be added those items to be borne by England, which come under the head of

SEPARATE CHARGES.

These were as follow:

1,900,000	Interest on Exchequer Bills		2,000,000
290,000	Sinking Fund on ditto - -		270,000
121,000	Debentures & Loyalty Loan		90,000
6,000,000	Vote of Credit Bills 1814, and Reduction of Exchequer Bills - - -		6,000,000
			£. 89,728,926
8,107,094	Deduct Irish Proportion of Joint Charge - - -	9,572,814	
	Ditto Civil List and Consolidated Fund -	188,000	
			9,760,814
	And there remained to be borne by England - - - - - - - -		£. 79,968,112

The vote of credit intended to be proposed this year was to the extent of 6,000,000*l.*, and would be made good in the usual way, by an issue of exchequer-bills to the same amount. Anxious, however, that there should not be too great a pressure on these securities, he should propose a reduction of three million from those voted last year, besides the re-payment of 5,000,000*l.* issued on the last vote of credit; by these means the sum paid off would be equal to that which it might be necessary to issue in the course of the present year. When it was foreseen that an expenditure to the immense amount which had now become necessary, must be provided for in the course of the present session, an important consideration arose, whether it would be better that an extraordinary exertion should be made to raise an unusually large proportion of the supplies within the year, or whether it would be preferable to call on the public only for what they had been accustomed to pay in former years, and raise what remained wanting by means of a loan. Much might be said in favour of either course. For his own part, he had no hesitation in declaring that if he had considered it probable that a similar expenditure would be necessary in future years, he would at once, whatever the hazard might be, have made an appeal to the spirit and magnanimity of the country; and from such an appeal he was sure the country would not have shrunk. From the feeling which had been manifested in consequence of the recent events, he was satisfied that those measures, which the wisdom of Parliament might think necessary to the honour and security of the country, would be cheerfully submitted to. But thinking as he did, that an expenditure to the amount of that of the present year, was not likely again to recur, even if the war should continue on the present scale, which was what he could not anticipate, he had thought it wiser to have recourse to no other means than those which it had been usual for Parliament to adopt on former occasions. However large the demand which had in consequence been made on the credit of the country, he saw no reason to regret this resolution. The right hon. gentleman now proceeded to state the ways and means which would be, in the opinion of his Majesty's ministers, the fittest to meet the supplies which had been voted. He took the Annual Duties at 3,000,000*l.*; the surplus of the Consolidated Fund he also took at 3,000,000*l.* It would be satisfactory to the House to learn the grounds on which he estimated the surplus of the Consolidated Fund, at that amount; and they would view with pleasure the increased resources of the country. It might also be proper that he should show the grounds on which he intended to propose on a future day a grant of 22,000,000*l.* out of the growing produce of the War Taxes. He should not call upon them to come to this vote that night, as it was more consistent with the forms of Parliament, that some portion of the ways and means of the year should be reserved for a time to meet any future grants which might yet be made in the course of the session. He, however, considered himself justified in taking the War-taxes at 22,000,000*l.*; the Lottery he took at 250,000*l.*; Old Naval Stores at 508,000*l.*; the Vote of Credit he had stated at 6,000,000*l.*; the Exchequer-bills Funded, and the Loan in the 5 per Cent. would give 18,185,000*l.* The second Loan 27,000,000*l.* These were the ways and means by which he proposed to meet the charge of the year, immense as it was. The total amount of them was 79,893,500*l.* This sum fell a little short of the supplies; but upon the whole he expected the ways and means which he had enumerated would prove sufficient. It was his peculiar duty this day to state the terms on which the Loan had been contracted for the service of the public. It had been the object of the Treasury to diffuse the loans called for, over different species of stock, in order to divide the burthen, to remove all inconveniencies to the public creditor, and to provide for the exigency on the easiest terms. This would be seen by adverting to their former proceedings in the course of the session. It had been proposed to fund 18,000,000*l.* of Exchequer-bills. This, in the first instance, they had not been able to effect; but subsequently on a loan in the 5 per cents. subscribers had gone beyond the 18,000,000*l.* by a sum of 135,000*l.* The sum, therefore, of 18,135,000*l.* was thus placed in the ways and means. The committee were aware, that by the loan that day, no less a sum than 27,000,000*l.* for England was to be raised; and as the 5 per cents. were sufficiently burthened, it became necessary that this should principally fall on the 3 and the 4 per cent. stocks. It was originally proposed that a larger sum should be taken in the 4 per cents.; but on the subscribers objecting to this, 10*l.* per cent. only had been given out of that stock; 130*l.* had been taken from the 3 per cent. reduced, and the remaining part of the 100*l.* was to be by a bidding in the 3 per cent. consols. It had happened singularly enough, as it had once on a former occasion, about eighteen months ago, "that the sum offered by the subscribers, was exactly the minimum of what the Treasury had resolved to accept. This was a circumstance so far satisfactory, as it went to show that both parties met on fair and honourable terms, and arrived at the same point from reasoning in different ways. What further proved the correctness of the view which had been taken of the case, was that four different calculations had been made by four different persons, and all had concurred in naming 44*l.* in the 3 per cent. consols, as that which ought to be the bidding. The bonus which the subscribers had was to be estimated in this manner:—

The 130*l.* given in the 3 per cent. Reduced, at 54⅛, were worth - -	£71	0	5
The 10*l.* in the 4 per cent. at 69⅞	6	19	9
The 44*l.* in the 3 per cent. Consols, at 54 - - - - - - - - -	23	15	2½
Total - - - - - - -	£101	15	2½

The consols, being shut, there was no money price to them, and the times price was something more than the money price of that stock. The times price was 55½; but from this one and a half per cent. was to be deducted, on account of the dividend to arise from the half-year which was about to expire; as no dividend would be paid to the subscribers to the loan on that stock till January next. This, therefore, reduced the value of the 3 per cent. consols. to 54*l.* which made the total sum given to the subscribers what he had before stated—101*l.* 15*s.* 2½*d.*; to which, adding the sum which would be allowed them in case of prompt payment, made an addition of 2*l.* 13*s.* 7¾*d.* and the total 104*l.* 8*s.* 10¼*d.*, including the whole of the discount allowed to any who might pay the entire amount of their subscriptions at once. But it was obvious, the loan being on so large a scale, it would not be fair to expect that so many could do this as had so come forward on former occasions, and that when the monthly instalments were so considerable, there was less probability of payments in advance than when a smaller loan was called for. On this account he thought that not more than half the discount, at the utmost, could be estimated as a bonus to the contractors, which would reduce their advantage to no more than 3*l.* 2*s.* per cent. The bargain therefore was not unreasonably favourable to them, and there was reason to rejoice that such a loan could be obtained at a period like the present on such terms. He would now proceed to explain the grounds on which he took the surplus of the Consolidated Fund at three millions. The actual surplus of that fund in the year ending 5th of April 1815, after deducting all charges, had been 3,647,000*l.*, and would therefore have justified an estimate to the same extent for the current year, supposing the revenue to remain equally productive, and the additional charges to be covered by the provision made by Parliament for meeting them. As however there remained the sum of 284,000*l.* granted for the service of the former year still due on the 5th of April, the sum which would remain for the service of the current year would be no more than 3,363,000*l.* In another mode of estimate the result would be still more favourable. The amount of taxes applicable to the Consolidated Fund of Great Britain in the year ending 5th of April, 1815, was £38,702,000

Adding the War Taxes appropriated to the Consolidated Fund - -	2,706,000
There would be a total income of -	41,408,000
From which, deducting the permanent charges of Great Britain existing on 5th April 1815, amounting to - - - - - - -	37,588,000
There would remain - - - -	3,820,000
From which again deducting the sum due on the former grant of	284,000
There would remain applicable to the service of the year - - -	3,536,000

He should therefore have thought himself justified in proposing a grant on account of this surplus to the extent of 3,500,000*l.* But as no inconvenience would arise from its being estimated too low, and some had been experienced from an error of an opposite nature, he thought the safer course was to take it at 3,000,000*l.* With respect to the War-taxes, he should at a future day propose a vote highly satisfactory, from the view which it gave of the increasing means of the country. The amount of the War-taxes, taking them at what they were last year, and adding the arrears of the Property-tax remaining to be collected, would furnish 32,925,454*l.*

From this deducting the sum remaining to complete the Grant of War Taxes for 1814 - - -	£8,005,887
And the War Taxes pledged for Interest of Debt - - - - -	2,706,000
	£10,711,887
There wonld remain to be granted for the service of the year - -	£22,213,567

On the credit of this he should consider himself fully justified in moving on a future day a grant of 22,000,000*l.* It was worth while to look back to the increase which had taken place in the produce of the permanent war taxes since the last considerable addition was made to them. The committee were aware that no new taxes had been proposed since the year 1813. In the year ending April 5, 1813, their total produce was somewhat less than 60,000,000*l.* In the year ending April 5, 1815, they amounted to 65,804,000*l.* thus giving an increase of five millions and a half. Undoubtedly it must be admitted, that the year ending April 5, 1813, had been less productive than some which had preceded it; but making every reasonable allowance for this circumstance, the increase had been great beyond all former example. He now came to state the amount of the charge on the country, by the loans for the present year, and the way in which it was proposed to meet them. The total amount of the capital created by the Exchequer-bills funded, and the loan in the 5 per cents. amounted to 21,208,000*l.* 5 per cent. stock; the interest of this to 1,060,000*l.*; the Sinking Fund to 331,000*l.*, with the usual charge for management. The loan obtained that day created a capital of 49,680,000*l.* the interest of which would be 1,517,000*l.*; the Sinking Fund would amount to 758,700*l.*, to which would be added the charge for management. The total amount of the capital created in the present year by funding, was 70,888,000*l.* The interest on this was 2,577,000*l.*; the Sinking Fund 1,090,000*l.*; the total annual charge to the country 3,689,000*l.* The rate per cent. at which the whole of the sum raised in the present year had been obtained was, to the subscribers (including the Sinking Fund), 5*l.* 14*s.* 2½*d.* The total charge to the country was, every thing included, 8*l.* 3*s.* 5¾*d.* He wished to show what had been the impression made on the stocks by the financial operations of the present year, and to compare them with that which had formerly been produced by those measures rendered necessary to prosecute the late war. In 1795, a loan was obtained at 4*l.* 14*s.* per cent. In that and the following year 137 millions were added to the national debt, and the effect of this on the stocks was such, that for a loan borrowed at the beginning of 1797, the public were compelled to pay 6*l.* 7*s.* per cent. being an increase of interest, and consequently a depression of public credit of 33*s.* per cent. on the amount of the loan, and of 35 per cent. on the interest paid in the former year. Now, since the year 1813 the public debt had been increased one hundred and eighty-seven millions, and the effect was this:—in that year we paid 5*l.* 8*s.* to the subscribers: we this year paid 5*l.* 14*s.* 2*d.* on the whole amount borrowed. So that with this immense addition to our debt, no greater depression on public credit was observable than 6*s.* 2*d.* per cent. on the loan, and about 5½ per cent. on the former interest. This might be considered to result from an astonishing increase of public credit since the period to which he had referred, or to the improved situation of the country. And, which ever way it was viewed, the effect was equally gratifying. To provide for the annual charge of 3,689,000*l.*, the House had already supplied by taxes of Customs and Excise on tobacco, and on Excise licences, about 600,000*l.*, and there were now under the consideration of the House additions to the Stamps and Postage to the amount of about 1,200,000*l.* more, making in the whole a provision by new taxes of about 1,800,000*l.* Thus it would be seen about half the necessary supplies were provided by taxes now agreed to, or in progress through the House. For the remainder, he proposed to take a sum of from 1,800,000*l.* to 1,900,000*l.* out of the sums in the hands of the commissioners for liquidating the national debt, as he was authorized to do by the Act of 1813. The sum in their hands was at present about 70,000,000*l.*, and he proposed to cancel so much of that as would suffice to meet the remainder of the charge created by the loan. He wished it to be borne in mind, as a consideration of no small importance, that a large proportion of the immense sum called for must have been supported by the country as arrears of the late war, had not the recent events again placed us in a state of hostility to France. On the most moderate calculation, no less than 21,000,000*l.* would have been sufficient. Of this 12,000,000*l.* were for the arrears of the Army Extraordinaries: for the payment of the Naval Debt, 2,000,000*l.* more; for Bills of Credit and arrears of Subsidies, 3,000,000*l.*; for the Commissariat department in Portugal, not less than 2,500,000*l.* These sums together made 19,5001,000*l.* The 2,000,000*l.* for the Army Extraordinaries, which he had mentioned, were for the former year, though included in the grant for the present. The payment of the sum which continued due on account of the Commissariat in Portugal beyond what had been already discharged, had been suspended during the war. The parties interested had acquiesced cheerfully in the arrangement made, and consented to receive the interest, without complaining that the principal would not be paid. This was satisfactory, as it showed that the monied men of the country (for the greater number of the creditors were British merchants) had the interest of the nation more at heart than their own private profit. They had made a considerable sacrifice, as the state of the exchange would have given them a great advantage, which must be wholly lost to them by this arrangement; which however would prove beneficial to the public service, and from its effect upon the exchange greatly promote economy in those departments in which our service had hitherto been conducted abroad at an immense expense; and thus our operations would be carried on with new vigour. The Committee must see with pleasure, that even under the pressure of present circumstances, the precious metals had been reduced in price since last April. Gold, which had then been 5*l.* 7*s.* the ounce, had been reduced to 5*l.* 5*s.*, and the price of dollars had sunk within the same period to 6*s.* 3*d.* per ounce. He stated this to show that we had been enabled, not only to meet, but in part to surmount the difficulties of our situation. Returning from this digression, he observed, that he had brought up his statement of the charges which the country must have borne, if a new war had not broken out, to 19,500,000*l.* One million more was to be added as the balance due to the achievements of our brave army, for the capture of stores. Five-hundred thousand pound of the sum called for in the present session would also have been necessary in aid of the Civil List. Thus this made up the 21,000,000*l.* he had mentioned, which were to be provided for in the present year, which did not arise from the renewal of war, and must have been borne had no such event taken place. He was aware it would be asked, if the war should continue, how would such expenses be met in a future year? He would not say that there would be no difficulties to contend with, but it was not probable that those difficulties would be of equal magnitude with those surmounted in the present year. He could hardly think it possible that this country would be engaged in an extensive naval war, while making such exertions as she was now displaying on the Continent. Either the attention of France would be so much directed to the confederated armies, that she would not be able to make any great effort with her navy: or, supposing any arrangements to be made by her with the

Continental Powers, that expense now incurred for our armies would cease, and the supplies at present demanded for them could be applied to the service of our navy: so that he conceived no prospect of the war being continued at the present great expense. Up to the year 1814, a provision had been made for 140,000 seamen. These were reduced in the last year to 70,000; but this, instead of a diminution, had caused a great additional expense, as the numbers of persons returning from long voyages and claiming the arrears due to them, had made larger disbursements necessary than were called for at any period of the war. This burthen could not continue; and he thought he was not too sanguine, when he looked for a diminution in the naval estimates for the next year, to the amount of four or five millions, including the transport service. The reduction upon the whole, even if the war should continue, might therefore, in another year, be not less than four or five and twenty millions. He believed that in every stage of the late war, this question had constantly been asked, "How shall we go on next year?" The general answer to this had been, that the spirit and resources of the nation would still furnish the means for prosecuting the contest, if it should be necessary. This answer, he thought, might suffice on the present occasion; but it was happily in his power to give one more distinct and specific. The House were not to suppose the Act of 1813 would not yet furnish fresh resources from the fund in the hands of the Commissioners for redeeming the National Debt. Though when all the grants of the present session were passed, but 9 or 10 millions would remain in their hands; in the next year there would, by the progress of redemption, be found in their care from 20 to 30 millions of stock. We had raised by loans in the present year, no less a sum than 45,500,000*l.* The House would consider the prospect before us less gloomy than it might otherwise appear when he stated that it was probable, for the reasons which he had assigned, that in the next year the loan required would not exceed 20 millions, and from 20 to 30 millions of stock would be applicable in the hands of the commissioners. But what had induced ministers to prefer having recourse to a public loan, rather than to a more onerous, though a more provident and certain mode of meeting the exigencies of the case, was this—they had reason to hope the contest might be short. In whatever light the subject was viewed, whether we supposed the government of Buonaparté was only established over France by the domineering power of a mutinous army, or whether it was assumed that he was invested with the sovereign authority by the suffrages of the nation at large in the present instance, it could not affect the measures which it had become necessary for England to adopt. Placed in that situation which we occupied, and deeply pledged in respect both of honour and of interest to support at any hazard the system upon which the peace of Europe had been restored, we could not but join with the Confederated Powers to give France encouragement to declare herself, and to enable the Royal party to struggle for the liberty of their country before its present Chief should be in possession of its whole resources. How far the enterprise might succeed, he could not say. But hearing as he did, in many parts of France, murmurs half suppressed, and seeing in others open hostilities against the ruling Power, he could not but cherish a belief that the real supporters of Buonaparté were very few indeed, beyond the limits of the Army, which had been accustomed to live under his banners. But supposing, for the misery of mankind, and most of all for that of France, that, carried away by her lust for military triumphs, she should prefer a warlike chief to lead her armies to the conquest of Europe, and that for such a character, she had deliberately rejected a mild and moderate government, terrible as it might be to combat the whole strength of France embodied under such a leader, such a consideration would make little difference with respect to the measures that ought to be pursued. Greater means ought, in fact, to be put forth, and more intense energy exerted to crush a Government, in its nature inimical to all other governments. He was unwilling to believe that France had acted such a part; that she had rejected the sway of a moderate and legal Prince, for one who ruled without law, and who even now trampled on the constitution he so recently pretended to establish. Such a power must be combated. It must find its end in internal discord or by external force, or it would never rest satisfied till its military domination extended over the whole of Europe. He would not however suffer himself to be led into the discussion of topics, however interesting and important, which were not immediately under the consideration of the Committee, and was not aware that he had omitted to state any thing necessarily connected with the business of this evening; but he should hold himself ready to offer any further explanation which might be required by the Committee. He then moved his first resolution, which was, "That, towards raising the Supply granted to his Majesty, the sum of 36 millions be raised by Annuities, whereof the charges of 27 millions are to be defrayed on the part of Great Britain, and 9 millions on the part of Ireland."

Mr. *Tierney* declared, that the proposition with which the right hon. gentleman had concluded his speech was one of the most alarming that he had ever heard. At the same time, he must do justice to the right hon. gentleman for the clearness and fairness of his statements with respect to the existing ways and means, on which, upon the whole—although it was probable that there would be some deficiency in the property-tax—he agreed with him. As to the supplies, the right hon. gentleman had endeavoured to convince the committee that they ought not to contemplate a similar account next year, for that at least 21 millions could not recur. The committee should, however, bear in mind, that they were ignorant of the nature of that arrear of 21 millions. To him there seemed no reason to doubt that similar arrears would again accumulate. In the article of Army Extraordinaries, liberal as the annual grants had been, they had never covered the actual expenditure; and it was not to be supposed that they would do so in future. The estimate of the Commissariat appeared to him to be under-rated by the right hon. gentleman. Last year the expenses of that department were three millions, and the year before two millions and a half; but this year they were estimated by the right hon. gentleman at only 1,100,000*l.* In future years they would be much more. The Barrack estimate this year, in consequence of the sale of old barracks, was only 99,000*l.*; but that cause of diminution was temporary, and next year that item of expenditure must necessarily be increased.—Before he said any thing on the general subject of foreign troops, he observed that we gave to Austria 400,000*l.* and to Russia 200,000*l.* in addition to the former sum of 500,000*l.*, for taking care of her own ships. The amount of the sum appropriated to foreign Powers was three millions, of which 1,600,000*l.* had been already voted by Parliament, and the remaining 1,400,000*l.*, though altogether a new proposition, was now very quietly and without remark proposed as a vote to the committee by the right hon. gentleman. In the first place, no information had been given to the committee of the nature of the sums composing this vote. He had apprehended that all our subsidies had been made good. If not, why had not that been stated? It seemed as if the right hon. gentleman was not in the secret on the subject, but merely said the demands came upon the Treasury in the shape of bills, for which it was necesary that he should provide. As to the Army Prize-money, it might be very proper to pay at once a million of arrears on that subject; which, however, nobody looked for. But should the war continue, we should, in all probability, have brave men distinguishing themselves, for which his Majesty's faithful Commons would of course be called upon to provide. Of what value, therefore, was the right hon. gentleman's supposition, that such arrears would not recur? In fact, they would go on at a rate more rapid than ever. The total amount of the supplies of the year was 89,728,926*l.*; from which, if the 21 millions of arrears were deducted, how much still remained! But the right hon. gentleman seemed to think that we were a very happy people, if we had only 60 millions to provide. Let the committee look at the progress of our expenditure, creeping up as it had been for the last six or seven years. In 1808, it had been 45 millions; in 1809, 50 millions; in 1810, 48 millions; in 1811, 52 millions; in 1812, 55 millions; in 1813, 57 millions; in 1814, 63 millions; and now, in 1815, 72 millions. Willing as he was to admit that the right hon. gentleman fulfilled the duties of his high office with exemplary attention, he must contend, that he was mistaken when he conceived it possible to carry on the war without an increasing instead of a diminishing expenditure. It was quite astonishing, therefore, to hear the right hon. gentleman attempting to form an estimate of the loan for next year. It was in the nature of such an expenditure to be rapidly increasing. Circumstances were perpetually starting up to produce this effect. This was a frightful prospect for the country. If the system on which Mr. Pitt proceeded with regard to the national finances—a system which did him infinite credit—was entirely deranged, the causes of that derangement required investigation. That system was to raise so much of the supplies within the year, as should materially reduce the amount of the loan, and by the operation of the Sinking Fund to afford to the public means of obtaining the loan on terms better than they could otherwise have enjoyed. Let the committee compare the amount of the Loan and the amount of the Taxation during the last eight years. In 1806 the Loan was 18 millions, the Taxes were 24 millions, being an excess in the latter of 6 millions; in 1807 the Loan was 12 millions, the Taxes were 27 millions, being an excess in the latter of 15 millions; in 1811 (for he would not trouble the committee with the intermediate years) the Taxes exceeded the Loan seven millions and a half. There the old system ended. In 1812 the Loan amounted to 27 millions, and the Taxes only to 24. In 1813 the Loan exceeded the Taxes by 17 millions; and in the present year by 17 millions and a half. This was a gloomy contemplation, and it behoved the committee to pause and deliberate on so dreadful an alteration in public affairs. Instead of keeping down the Loan by Taxation, we maintained the Taxation, and yet were compelled to have recourse to Loans of the most enormous magnitude. In adverting to the subject of the Sinking Fund, he would, in the first place, call the attention of the committee to the gradual growth of that Fund. In 1806 the Sinking Fund bore the proportion of a 68th of the National Debt; in 1807 of a 64th; in 1808 of a 57th; in 1809 of a 54th; in 1810 of a 51st; in 1811 of a 48th; in 1812 of a 46th; in 1813 of a 44th. Now, however, the system of Mr. Pitt was destroyed; and if it had been satisfactory to the country, the violation of it could not but be regarded with extreme uneasiness. The whole of Mr. Pitt's system with respect to the Sinking Fund had been set aside, possibly without fault, by his friends and admirers. In 1806 the Loan exceeded the amount of the Sinking Fund seven millions and a half; in 1807, three millions; in 1808, 2,700,000*l.*; in 1810, 5,800,000*l.*; in 1811, eight millions; in 1812, 15 millions; in 1813, 24 millions; in 1814, nearly 29 millions; in 1815, 33 millions. The noble lord seemed to think lightly of this statement: to him (Mr. Tierney) it appeared to be very serious, at a moment when we were about to engage in a war the end of which no man could foresee. He had proved to the House that the two vital principles of Mr. Pitt's financial system had been overturned; he implored them to turn their attention to the subject, and not allow themselves to be deceived by the plausible speech of the right hon. gentleman. With respect to the new Loan, he most readily concurred in the opinion of the right hon. gentleman, that it was a fair bargain on all sides. Knowing as he did the soundness and strength of the contractors, he had no doubt that they entered into the contract on good grounds; and he heartily congratulated the country on the liberal spirit in which it had been concluded. But although, under the circumstances of the case, the terms of the Loan were, in his opinion, good, it was impossible to agree with the right hon. gentleman, that there was no depreciation of public credit.

He intreated the House to observe the effect which the measures of the right. hon. gentleman would have on the Sinking Fund. In the present year they were taking actually from the Sinking Fund 900,000*l.* He wished the House not to shut their eyes to the fact, that they were going backwards instead of forwards in all their prospects respecting the National Debt—while new incumbrances were added, the Sinking Fund was, from day to day, becoming less. If they took 900,000*l.* from 11,400,000*l.* the previous amount of the Sinking Fund, it would be reduced to 10,500,000*l.* If instead of having ten and a half millions, we had between sixteen and seventeen millions to go into the market with, what a difference would that make in favour of the credit of the country! So that what the country gained on the one hand by the measure of the right hon. gentleman, they lost on the other. However unpleasant it might be to bring forward new taxes, yet there was no other possible way of meeting the evil. The subject was deserving of the most serious attention of the House; and it was the more important at a time when we were starting on a new war. He hoped they would not shut their eyes to the consequences, if we continued to go on in this career of expenditure; and we must bear in mind, that if the war was persevered in, we could not look for any reduction of expenditure. He meant no disrespect to the right hon. gentleman, or his calculations, when he said he put no faith whatever in them—he would not, if Mr. Pitt, or any other financier were to rise from the dead and give these statements, place the least reliance in them. We were starting on a new career of expenditure—we did not know what would be the amount of our expenditure when war was once determined on, and to be pushed at every expense. Let us only see how things stood now, compared with what they did three months ago: Buonaparté then had made his appearance in France, and a mad Declaration was signed by the representatives of the different Sovereigns at Vienna; and by one man, who, he believed, would be the last person in the world to give his cool approbation to the doctrines which that Declaration contained. But his associates naturally felt a good deal mortified at the event which had taken place—it had knocked all their labours on the head. That Declaration was, however, confirmed by the Treaty of the 25th of March, in which the Allied Powers agreed never to lay down their arms till Buonaparté was driven from the throne of France. Would not one have supposed, that, after such declaration, something would have been done to control the man whom they had thus proscribed? But they had not done any thing. The noble lord had told them, the night before last, that the Treaty which gave validity to the contracts with Russia, which he then produced, were only signed on the 19th of May; and he had also told them, how very improvident it would have been to sign that Treaty till the 19th of May, when they understood what the Allies were about. Why, then, it seemed, that up to that period we did not understand in what manner we were to act. But what had been actually done from the 19th of May up to this day? Nothing had, in fact, been done—nothing but making preparations, and marching troops from a great distance. All this was certainly in favour of Buonaparté, as it allowed him time to make preparations against the attack with which he was menaced. It had been said, that he had not derived the least advantage from this delay. Was it nothing to have consolidated the government of France? Was it nothing to have obtained the assembly of the Champ de Mai, and the sanction of the nation to the Additional Act? Was France in the same situation now, that she was in when a King had just been pushed from the throne, and there was no Legislative Assembly or any other body through which the voice of the nation might be pronounced? Having now been recognized by the nation as Emperor, his cause became united with that of the nation. The right hon. gentleman had told them that in some parts of France there were suppressed murmurs against his authority. However much he might admire the budget of the right hon. gentleman, he had no doubt that even it would be received with suppressed murmurs in many parts of England—[A laugh]. The fact was, that a rapid progress had been made in consolidating the government in France. He was convinced that an honest and sincere wish was entertained by a majority of the people of France to have a good constitution. He saw nothing in the proceedings of the Chamber of Representatives to induce him to draw the inferences which some people had drawn from them. It had been said, that their proceedings were irregular—that propositions were received with murmurs; but if any foreigner were to judge merely from the appearance which this House often exhibited, he would say that they were all going to loggerheads, and that the constitution could not last a month. But what were the propositions which were received with murmurs? They were always propositions in favour of Buonaparté; these were the propositions which were always put down. It had been said, that we went to war to get rid of Buonaparté, to prevent another military despotism from being established. Now, it was his opinion, that there would be no military despotism in France, unless we contributed to enable Buonaparté to establish it. Vast preparations of defence had been made in France. There might be a difference in the accounts, more or less; but no man could doubt that at present there were 500,000 men in France, properly equipped. The noble lord had indeed told them, that the Allies were to bring one million and eleven thousand men into the field against France. But even were there to be one million and eleven thousand men led against France, if that country was united, he did not believe that they could make any impression on it. He was supposing France to be united. It would be ridiculous to suppose, that in a country which had just experienced a revolution, all parties saw things in the same point of view;

but from every thing which had taken place in that country, from all the different accounts which had been received, he thought he had a right to lay it down that France wished for a free constitution, with the exclusion of the Bourbons from the throne; and though they might not all be attached to Buonaparté, yet they considered it necessary to have a military character at their head, capable of wielding the resources of the nation in an able manner, in the present critical emergency. He warned them to stop before the blow was struck. They ought to reflect on what might be the consequences if Buonaparté should be successful, and see if peace could not yet be made. If France were to be attacked without having committed any acts of aggression against this country or the rest of Europe, those who so attacked her would be guilty of as deliberate a crime as ever was committed. But he believed we might have reasonable security against danger from France, if we went the right way about it —we might yet make a peace, if we went about it properly. But this was not the object of his Majesty's ministers; their object was to put down Buonaparté, for the sake of the restoration of the Bourbons to the throne. They must know how inimical this was to the wishes of the people of France. They might yet have reasonable security, if they would be satisfied with it; but he was not convinced that they would always have it in their power to get it. After they had spent these 36 millions, he was not satisfied that they would be able to have it. It was probable that the war on which we were entering would be a protracted war, as it was engendered in a degree of animosity, which had not been witnessed since 1793. Did the right hon. gentleman think that there was any probability that this war would be a short one? It might all be very well if there was to be but one great effort, and that a short one; but he saw no probability of any thing of the kind; the war could be determined by nothing but the overthrow of the people of France. The great object for which the country was to submit to all these privations, was the overthrow of the present Government of France, in order to bring the people of France to their senses. Now, he believed, that this was a thing which it was impossible for all the people in the world to do. They would find the people of France more disposed to submit to privations in defence of their country, than those would be disposed to submit to who attacked it. The great Vote of Credit of six millions, meant nothing more than that it secured ministers against a meeting of Parliament for some time. The circumstances under which they were to meet again, might well alarm the right hon. gentleman and his colleagues. If the war should not be terminated soon, there would be a general gloom from one end of the country to the other. He had made diligent inquiries into the situation of the country, and he knew that a very general distress was at present felt by the middle ranks, which was working up to the higher ranks of course. If the country remained at peace, he saw no reason why we should despair of our situation; but a fresh war might be attended with the most ruinous consequences to the country.—Again he would implore them to pause before striking a blow—they would have no other moment to deliberate. This was the first time that the country had had a budget to the amount of nearly 90 millions. The way in which the interest of the Loan was provided for, had sapped and undermined the vitals of the country, by the deterioration of the Sinking Fund, and the consequent deterioration of all funded property. It would be impossible to borrow money in any part of the country, when people were tempted by the high rate of interest which would be obtained from holding Government securities. The plan of Mr. Pitt was now abandoned. If ministers should not succeed in their project, France would be justified in waging eternal war with this country. The insolent manner in which we conducted ourselves in every question, made us very generally hated throughout Europe, and was greatly injurious to the interests of the country. —[Hear, hear! from the Ministerial benches.] It would be said by the noble lord opposite, perhaps, that this was a proof they feared us. He would repeat the word insolence, which was cheered by the noble lord. What could be a greater instance of it, than those medals which had lately been struck? Forty or fifty medals in gold had lately been struck, and presented to all the foreign Powers with whom we were on good terms. On one side there was a very fine likeness of the Prince Regent, which did great credit to the artist—greater credit than to the person who ordered it—with the Latin inscription, "Seipsum constantiâ exemplum Europæ præbuit." On the other side was a figure of Britannia supporting Europe. One of the Potentates to whom a medal was sent, if he was not misinformed, had said, that this was one of the most singular examples of modesty he ever knew.—He conceived that it must be attended with intolerable misery to Europe to place France in a state of war. Did ministers suppose that they could draw a line round France, and confine the consequences of the war to that country? It was impossible that France could suffer without giving rise to great agitation in all the neighbouring countries. This was his sincere opinion. Gentlemen might make a clamour, but they could not oppose any satisfactory arguments to what he had advanced. What he said, went home to the feelings of men; at least it would six months hence. He would defy the Chancellor of the Exchequer to meet the expenditure of the war for two years on the present scale.

Mr. *Arbuthnot* would only say, that in every part of the world, except France, the name of the Prince Regent, and the unblemished honour of this country, were most highly respected and extolled.

The *Chancellor of the Exchequer* entered into an elaborate reply to the comments of Mr. Tierney. He began by expressing his satisfaction at the approbation given by the right hon. gentleman, in general, to the statements he had made, and the measures he had proposed. The candour shown by the right hon. gentleman made him the more desirous of entering into such explanations as his (Mr. T's.) observations appeared to require; and he trusted that he should be able to give such an answer to so many of the right hon. gentleman's observations as were of a financial nature, as he would admit to be satisfactory, though he could not flatter himself they should so readily agree upon the political topics which the right hon. gentleman had introduced.

There were two principal points relating to finance, to which the right hon. gentleman had directed his observations, viz. the amount of our foreign expenditure, and the alteration which had taken place in the management of the Sinking Fund, and which the right hon. gentleman represented as a dereliction of those principles of finance upon which Mr. Pitt had acted. With respect to our foreign expenditure, the right hon. gentleman had asked what security we had, that the extraordinaries of this year would not as much exceed the provisions made for them as those of the last year had done. On such a subject it was obvious that no positive security could be obtained. But there was every reason which the nature of the case allowed of, to hope that such an excess would not take place. In the first place, the provision made in the present year for extraordinary expenses was greater than it had been in the former; and as almost one half of the year was already elapsed, we were able to reason with a considerable degree of certainty as to a large proportion of the expense. In the next place, it should be observed, that the contest now unhappily renewed, differed materially in its nature from the war which had so long been carried on in the Peninsula, and did not seem likely to lead to an expense either so great or so uncertain. In so unproductive a country as Spain, the supplies of the army were necessarily brought from great distances, at an expense of carriage many times exceeding the cost of the articles themselves. The difficulties increased with every movement the army made in advance, and rendered it necessary to scatter the commissariat establishment over the country in such a manner that upwards of 800 officers were employed at once. From this resulted such a multiplication and intricacy of accounts as was incompatible with any system of economy. The circumstances under which the present war was to be carried on were in many respects the very reverse of these. It was conducted in one of the most fertile and productive countries in Europe, where every kind of necessary was to be obtained in abundance, where every commercial arrangement was perfectly understood, and where the facility of water-carriage, so essential to the abundant supply of a large army, was afforded to the greatest extent. In addition to these advantages every effort had been made by the Government to improve to the utmost the system of account and the control of expenditure. An additional Comptroller of Army Accounts had been appointed with an immediate view to this object, and under his examination monthly estimates of the expense of every department of the service were directed to be prepared and transmitted to the Treasury. A special Accountant-general had also been appointed to prepare and render the accounts of the commissariat to the

Comptroller on the spot, and was directed for that purpose to call upon each individual accountant for a weekly statement of his receipts and issues, and a weekly schedule of his balances either of cash or stores. Under such a system he (the Chancellor of the Exchequer) would not undertake to say that an excess of expenditure was impossible; but he saw great reason to hope it would not take place, and that at any rate it could not happen, as it had on other occasions, unforeseen and unexpected.

With regard to the Barrack estimate, he thought the narrow limits within which it was reduced this year, rather a subject of congratulation than of suspicion. After some other observations on this head and other branches of public expenditure, he proceeded to observe, that it appeared to him unnecessary to enter into any defence of the different heads of foreign subsidy, on which the right hon. gentleman had descanted, as they all arose out of engagements recognized and approved by Parliament.

Having touched upon the several matters of detail on which the right hon. gentleman had observed, he proceeded to subjects of a more general nature, involving principles of the highest importance. He should be sorry indeed to think that he had deviated from those principles of finance by which his predecessors, and especially the great founder of the Sinking Fund, had acquired high and deserved reputation, though not much of the right hon. gentleman's approbation and support. But he denied that he could be justly charged with any such deviation. He denied that any of his predecessors, and especially that Mr. Pitt had ever attempted to cover the charge of a great and extraordinary exertion, not apparently likely to be of long continuance, by supplies raised within the year. The principle on which Mr. Pitt, no less than other ministers, had acted, was that of endeavouring to provide for permanent expenditure by permanent income, and to have recourse to means of credit for raising extraordinary supplies. There were three periods in which great attempts had been made to provide for a large proportion of the public expenses within the year, and they had been eminently useful and successful. The first was by Mr. Pitt in 1797 and 1798; the second, and much the most considerable, by lord Sidmouth in 1803; and the third by lord Grenville, and lord Henry Petty, in 1806. The first arose out of an extreme depression of public credit, occasioned partly by a variety of political calamities, but principally by a succession of loans larger than the money market was then prepared for, or able to bear. The second and third were distinctly explained by the ministers who proposed them, as intended, with the assistance of a small annual loan, to meet the permanent and ordinary war expenses. So carefully, indeed, was any misapprehension on this point guarded against, that in the printed explanation of lord Grenville's plan in 1807, it was stated, that any expenses arising from expeditions abroad, or from foreign subsidies, were to be provided for by other means—that is, undoubtedly, by borrowing. So completely successful had been the efforts made by the country for meeting the ordinary expenses of the war, that in 1808, when the resources proposed by lord H. Petty came into full operation, there was a small diminution of the capital of the funded debt, instead of any increase. It was true, that from the same year commenced that arduous struggle on the continent of Europe which had entailed upon us so large an addition of public debt, but which, with so much expense and difficulty, but also with so much glory, had at length brought the war to a successful termination. For these immense expenses it had been the duty of Mr. Perceval and himself to provide; but he denied that it could be expected of them, or would have been practicable, to raise such sums within the year. They were only bound to propose such measures as were consistent with sound principles of finance, and adapted to the occasion; and it had been his happiness to provide for the most arduous and pressing period of this great contest, without imposing any additional burthens on the country. But he was ready to admit that the system on which he was then, and now acting, was one suited to a temporary emergency;—and it was only under the conviction that the struggle was likely to be short, and that the ordinary resources of the country were sufficiently great to bear the more permanent expenses, that he could forbear from recommending to the House some additional and extraordinary measures of taxation even in the present session.

The Chancellor of the Exchequer then referred to the measures of Mr. Pitt at different periods, and particularly in 1805, to show that he did not in great and extraordinary emergencies, attempt to raise the whole of the expenses by taxation, but by an increase on the amount of the loans; and to justify his own present proceeding by the authority of that great man's precedent. He likewise entered into a variety of calculations showing the effect of the system introduced in 1813, respecting the Sinking Fund, and proving that the progress of the redemption of the national debt would be perfectly satisfactory, notwithstanding the relief afforded to the public burthens.

He next adverted to the right hon. gentleman's observations on the doubtful success of the war. He did not mean to deny that the forces of France were formidable, and conducted by a leader of great military talent, or that the events of war were always uncertain; but as greater exertions were making on the part of the Allies than on any other occasion recorded in history, it was only reasonable to hope for corresponding success. The roads of Europe from the Oder and the Vistula to the Rhine were literally covered with the successive columns of their forces; and though the right hon. gentleman thought it not possible for them to make any impression on France, he was disposed to augur more favourably of the event, and to congratulate the House on the probable result of such an unexampled union of exertions. It was evident, even by the right hon. gentleman's statement, that France would have to encounter fearful odds. But were the prospect less favourable, he should not be less of opinion that the effort ought to be made with the utmost resources of the country—for on this effort hung the subjection or independence of mankind. It appeared to him a weak and childish delusion to think that the French had expelled their King for the purpose of obtaining peace and a free constitution. They already enjoyed peace and a free constitution under that mild and benevolent monarch; and the very last thing that the people of France could have thought of, if they had really wished to have a free constitution, was to put Buonaparté at their head. His conduct had always been the very reverse of that of the amiable monarch whose government they had overthrown. The King had imposed no arbitrary laws upon them; he had made no infringement on their personal liberty, nor torn away their children by odious conscriptions.

The right hon. gentleman was himself so sensible of the ambitious and domineering spirit of the present French Government, that he talked of requiring securities for the preservation of peace. What securities he could ask, or the French Government would be disposed to give, he had not explained, nor could he (the Chancellor of the Exchequer) conceive any that would afford any solid ground of confidence; but it would at any rate be time enough for the House to consider them, when the right hon. gentleman should be authorized by the French Government to communicate them.

The Resolutions proposed by the Chancellor of the Exchequer were then put, and agreed to.

HOUSE OF COMMONS.

Thursday, June 15.

New Post-Office Bill.] On the order of the day for the third reading of the New Post-office Bill,

Mr. *Baring* rose to lament that so much unnecessary expense should be incurred by the country, at a moment so important as the present. He declared that he would take the sense of the House upon the third reading.

Mr. *Calcraft* said, that it was necessary before such an expense was incurred, and especially at the present time, when every guinea was of such value to the Government, that the absolute necessity of the new Post-office should be shown.

Mr. *Atkins Wright* fully concurred with the hon. gentleman who spoke last.

Mr. *Lushington* said, that from the reports of committees, it appeared that the superior advantages of the new Post-office would much more than counterbalance the expense. It would be a great improvement to the city of London, and he believed it would not exceed the estimate.

Mr. *Gordon* said, that in the case of the new Custom-house, the ground belonged to the public; but in that of the new Post-office, it was to be purchased at a great and indefinite expense. He should oppose the Bill to the last, because he viewed it in the light of a mere job, and a profligate expenditure of the public money.

The House then divided: For the third reading, 49; Against it, 24;—Majority, 25.

Papers relating to the Banca Island.] Mr. *R. Smith* rose to submit to the House the motion of which he had given notice respecting the island of Banca. He was surprised to find that his Majesty had transferred the sovereignty of Banca to the Dutch, for he never knew that his Majesty had claimed any sovereignty over this island. The only right we had to it was acquired by the conquest of Java, and by the cruelty which the sultan of Java was said to have exercised towards the Europeans residing in it, which did not appear to him to justify us in assuming the sovereign disposal of it. He, therefore, moved an Address to his royal highness the Prince Regent, praying that there be laid before the House, copies of all the documents and dispatches received by the East India Company, relative to the acquisition of the island of Banca, in the East Indies.

Mr. *Wallace* cordially coincided in the hon. gentleman's motion, because the papers would most fully prove the gross infraction of all the laws of nations, by the sultan of Java towards the Europeans residing in the island of Banca. We had deposed the sultan of Java, and it was incumbent on us to do so, in order to prevent like atrocities towards Europeans in the Eastern world in future. The hon. member went into a history of the sultan's barbarous conduct. The papers would most fully justify his Majesty's Government in the disposal of Banca.

Mr. *Forbes* was happy to find that the motion was not likely to meet with any opposition. He feared, that the sultan owed his deposition less to the massacre of the Dutchmen than to his refusal to continue the tin contract under a disadvantage.

Mr. *Thomas Courtenay* corroborated the statement of Mr. Wallace.

The motion was then agreed to.

Motion respecting the Newfoundland Fisheries.] Sir *John Newport* in rising to submit a motion to the House, relative to the Newfoundland fisheries, felt that, however important it might be in its nature, yet as it did not involve any question of more immediate interest, he was not entitled to expect their ready attention. Still, however, feeling that it was a question materially affecting the commercial and naval prosperity of the empire, he was warranted in calling on the House to take it under their most serious consideration. The fisheries on the coasts of Newfoundland, in the gulph of St. Lawrence, and on the coast of Labrador, had been long and successfully carried on by the inhabitants of these islands, and the pursuit was attended with the beneficial consequences of national wealth and commercial prosperity. He read a paper which showed the progressive increase of our shipping and sailors employed on that service; and thence argued the vast importance arising to the country from that branch of industry. This, however, had been seriously retarded, if not injured by the encroachments of the Americans. And while he felt an unwillingness to interfere with the rights of any nation in the enjoyment of what would seem to belong to them by the law of nature, he was compelled to call on Government to extend its protection more immediately to its own subjects, and obtain for them the same exclusive rights of fishing on our own coasts, which the Americans possessed on the extended line of theirs. The inhabitants of the city he had the honour to represent had long enjoyed considerable advantages from the trade, but which were, of late, in some degree diminished by the encroachments of the Americans. He, however, disclaimed being influenced by that consideration alone, feeling strongly convinced that the interests of the empire in general were vitally concerned. The right hon. baronet then moved,

"That an humble Address be presented to his royal highness the Prince Regent, to represent to his Royal Highness's consideration, that the state of the Fisheries carried on by the subjects of the United Kingdom on the coasts of Newfoundland, in the Gulph of St. Lawrence, and on the coast of Labrador, from the magnitude of its commercial and political consequences seriously affecting the active industry and maritime strength of the empire, is highly deserving of the most serious attention, and the vigilant unremitting protection of the Executive Government and the Legislature:

"That such protection is peculiarly called for at this period, when the Treaty of 1783 with the United States having ceased to exist, and no part of its highly injurious provisions respecting the Fisheries having been renewed by the late Treaty of Peace with that Power, the subjects of this United Kingdom may be entitled to hope that their unexampled exertions in this active and interesting branch of commerce will be adequately secured and protected; exertions which are stated to have engaged in those Fisheries during the last year above 80,000 tons of shipping, taking and conveying to home and foreign markets nearly one million of quintals of fish, and above 6,500 tuns of oil; the actual value of which exceeded 2,700,000*l.* and employed above 16,000 natives of this United Kingdom in a branch of active industry, furnishing to the navy on any emergency a great body of the most hardy and experinced seamen:

“ That, for this purpose, it will be indispensably requisite that the subjects of the United States shall be precluded, by active and vigilant attention, from encroaching on the Fishery within the limits of the coasts, and to a considerable distance from the shores of those countries, the exclusive right to which is by the law of nations, and every principle of justice, confined to the subjects of these kingdoms:

“ That, to guard against such encroachments, it will be necessary that such instructions shall be given to the naval commanders on those stations, and such force placed under their direction, as may effectually repress any improper attempts of that nature:

“ The Americans of the United States have great and valuable Fisheries upon their own shores, within the very extended limits of which it is neither just or proper that the subjects of this country should interfere; but, on the other hand, we desire to represent that our rights, equally sacred and valuable to us, ought to be secured from their undue interference, which, from their vicinity, and other local advantages, must inevitably destroy this truly valuable branch of commercial industry, for which above 2,000 persons have embarked from the port of Poole, and above 5,000 from the port of Waterford, during the present year, and which has advanced to its present unexampled magnitude by the discontinuance, during the war, of those vexatious and unwarrantable encroachments upon it heretofore practised by the inhabitants of the United States.”

General *Gascoyne* seconded the motion.

Lord *Castlereagh* said, that he concurred with much of what had been stated by the right hon. baronet. The right hon. baronet must, however, be himself aware, that there were many assertions in that Address, of which it was impossible that the House could now be cognizant. As to the value of those fisheries, he most completely coincided with him. They were not only valuable as a great source of wealth to the country, but they were still more so as a source of maritime strength. He coincided also with the right hon. baronet in his view of the relations between this country and America, as bearing upon this question. He considered that by the law of nations, any claim that America might formerly have put forward, but which had not been renewed by the treaty, had fallen to the ground. He therefore considered nothing of the treaty of 1783 to be in force, except what had been renewed and confirmed by the late treaty. By the law of nations, we had clearly the right of exclusive fishery within the jurisdiction of our own territories; but how far that jurisdiction extended, was a point open to future discussion. He acknowledged this right to be of great value; but, like all the other rights of the country, it should be confided to the management and care of the executive power. Having made those observations, he should move the previous question on the Address moved by the right hon. baronet.

Mr. *Taylor* was extremely glad that the motion had been made, as it had been the means of procuring this statement from the noble lord.

Sir *John Newport* felt quite indifferent whether the previous question was carried, or whether the House would permit him to withdraw his motion. He had conceived it his duty to call the attention of Government to this important point, and he was happy to find that their ideas coincided so nearly with his own.

The previous question being put, “That that question be now put,” it passed in the negative.

PETITION OF CAPTAIN ALEXANDER ORR.] Mr. *Wynn* said, he held in his hand a Petition from Mr. Orr, late captain in the Rothsay and Caithness Fencible Regiment, complaining of his being dismissed the service without a court-martial, and praying for inquiry into his conduct. The hon. gentleman then proceeded to state, that captain Orr had brought charges against another officer in the same regiment, who was acquitted, and on whose acquittal captain Orr was dismissed. He said that it was too great a power for a court-martial to assume to dismiss the prosecutor, because they had acquitted the prisoner. They could not judge of all the motives of the prosecutor. He believed the reason why captain Orr was dismissed, was because he had not taken other notice of his brother officer's conduct to him. This was an encouragement to duelling, and was subversive of military discipline.

The Petition was brought up and read, setting forth, "That from the year 1795 until the peace in 1802, the petitioner served as a captain in the Rothsay and Caithness Fencible Regiment; and in the year 1803 he obtained a company in the 1st or Berwickshire Regiment of Militia, in which regiment he continued to serve till the 26th July 1809, when he was dismissed the regiment, not only without any court-martial being held upon him, but even without any imputation of misconduct, except indeed the gratuitous and unfounded censure contained in the sentence of a court-martial held upon ensign Nicholl, in which the petitioner was prosecutor, and which he had no opportunity of repelling; and that, as the cause of the petitioner's removal from the regiment was never intimated to him, he is at a loss to know against what charge of supposed misconduct he is to defend himself, conscious of never having failed in the punctual discharge of his duty while he had the honour to remain in his Majesty's service; and praying, that his conduct may be fully inquired into, and that the House will take such steps thereupon as to them shall seem fit."

Sir *George Warrender* said, that he had made inquiry into this affair, and could say that the hon. gentleman was mistaken as to the grounds of the dismissal of captain Orr. The grounds of his dismissal were the failure of the charges he brought forward on the court-martial. The result of the court-martial was, that the charges were frivolous and vexatious. The court-martial also pronounced an opinion, that this proceeding did not appear to them to be wholly dictated by zeal for his Majesty's service. After such a sentence, it could not be supposed that his continuance in the regiment would have been advisable. Representations had been made of his conduct to lord Cathcart, who then commanded the forces in Scotland; and his lordship, being strongly of that opinion, wrote to the lord-lieutenant of East Lothian to that effect. It was from the representations made from the lord-lieutenant of the county to the secretary of state that this officer was dismissed; and he believed that the petitioner was entirely mistaken in supposing that it was for not fighting a duel that he was dismissed.

The Petition was ordered to lie on the table.

PETITION OF THE EARL OF ELGIN RESPECTING HIS COLLECTION OF MARBLES.] Mr. *Robert Ward* presented a Petition from the Earl of Elgin, setting forth, "That at the period of the appointment of the petitioner to the embassy to Turkey, in the year 1799, several eminent artists and patrons of the Fine Arts, lamenting that, from the prejudices of the Turks, any remains which might still exist of ancient sculpture and architecture in Greece, were inaccessible and exposed continually to destruction, directed his attention, in an especial manner, to the benefit of rescuing from danger, and securing accurate information of those remains; and that having, on these suggestions, provided the best assistants Rome could afford, and being thereby, and by the employment of all other necessary means, enabled to avail himself of every favourable opportunity, as it arose, during and since his embassy, the petitioner now begs leave to transfer to the public what he humbly conceives to be a full attainment of an object of high importance to the progress of the Fine Arts; namely, a complete series of the sculptures which formed the principal ornament of the ancient temples in Athens, specimens of their most characteristic architecture, as well as drawings, casts, vases, medals, and inscriptions from Athens, and other parts of Greece; and that, as the circumstances attending his endeavours in the attainment of this object bear no resemblance to those under which any other collection was ever presented to the public, and as it is presumed that the series of sculpture in itself has no parallel in objects ever before purchased, the petitioner hopes he may be pardoned for soliciting that the House would institute an inquiry, upon such evidence as may be procured, into the merits and value of what he now offers, and take into its consideration how far, and upon what conditions, it may be advisable that the property of the said collection should be transferred to the public."

The *Chancellor of the Exchequer* considered that the possession of these marbles would be a great acquisition to the public, If the Petition was received, he thought that it should be referred to a committee, to consider and report as to the sum that would be proper to give for the possession of them.

Mr. *Horner* thought it important that the public should have the possession of these marbles; but he should wish that the matter might lie over till the next session, as there was not time in the present to come to as full a report as would be satisfactory. The Committee would have to inquire, not only into the actual value of these marbles, but as to the manner in which lord Elgin got possessed of them. It was surmised that it was in his public capacity he obtained them; and if that was the case, it was to be considered what degree of claim the public already had. The compensation to be given to lord Elgin was certainly very different, if he got them in his public character, from what ought to be given if he had acquired them in another manner.

Mr. *Bankes* agreed with his hon. and learned friend, and observed, that these marbles, from what he understood of the case, were more than half public property. He also understood that there had been a treaty with lord Elgin, and that very liberal offers on the part of the Treasury had been refused. It would be, however, much to be regretted that these marbles should be removed from the country, or from the capital.

Sir *John Newport* thought, that a full inquiry ought to be made into the manner in which the collection had been acquired. He was afraid that the noble lord had availed himself of most unwarrantable measures, and had committed the most flagrant acts of spoliation. It seemed to have been reserved for an ambassador of this country to take away what Turks and other barbarians had always held sacred. It was the duty of the House to ascertain the truth of these matters; for otherwise, in case they should consent to purchase the collection, they would evidently sanction acts of public robbery.

The *Chancellor of the Exchequer* said, he had conceived, that it would be more satisfactory for the price to be settled by the House, than in a private bargain between the Treasury and the noble lord. It was certainly so late in the session, as not to afford the opportunity of any long inquiry: but a committee of such members as were best qualified to judge of the value of those useful works of art might make a report, and adjourn to next session. There were circumstances, indeed, that made it extremely inconvenient to defer the entire consideration of the subject; but if the collection could be deposited in some of the public buildings, the noble lord might not, perhaps, object to the postponement. He was inclined to believe, that the noble lord would consent to such mode of payment as might be satisfactory to the House; he had made the collection on the laudable principle of securing models for the artists of this country, and did not desire an exorbitant remuneration.

Mr. *Rose* said, there had been some difficulty as to the receiving these marbles into the British Museum on account of the want of room; but the trustees were now determined to receive them, if the noble lord could agree with the public as to the price.

The *Chancellor of the Exchequer* observed, that the noble lord threw himself entirely on the justice of Parliament.

Lord *G. Cavendish* said, he believed he could state that there would be no necessity to remove the marbles from their present situation till the next session of Parliament.

The Petition was ordered to lie on the table.

MUTINY BILL.] The report of the Mutiny Bill being brought up,

Lord *Palmerston* proposed some new clauses, which were adopted; but upon the proposition of a clause, that any soldier who should be taken prisoner by the enemy should be liable to the forfeiture, not only of his pay during the continuance of such imprisonment, but of any arrears of pay due to him upon being so taken prisoner, if it should appear, upon investigation before a military tribunal, that such soldier had not used due exertion and energy to save himself from being so taken prisoner,

Mr. *Horner* deprecated the proposed forfeiture of the arrears due to a soldier upon being made prisoner, because an order for the payment of such arrears to his wife and family might have been transmitted by such soldier, while he was actually performing his duty. But he would not object to the other forfeiture proposed, in case that the capture of a soldier should appear to be the effect of his own will or negligence; for to allow him his pay during his imprisonment might well be regarded as a boon to the soldier who should make a voluntary or pusillanimous surrender to the enemy. He suggested, however, that any investigation upon a subject of this nature should rather take place before a Court-martial than a Court of Inquiry, and that the *onus* should not be imposed upon the accused of proving that his captivity was not the result of his own negligence or want of exertion.

Lord *Palmerston* stated, that as to the mode of proof, it was proposed to examine the captured soldier himself, together with any evidence which could be adduced on the part of the Crown, in order to show the circumstances under which he was made prisoner. The clause itself, indeed, was suggested rather from what had already taken place, than from what was likely to take place again. It was notorious that several soldiers had, through intoxication or negligence, permitted themselves to be taken prisoners upon the Peninsula, to whom arrears of pay were due, and that on their return to this country those arrears were paid; no power existing by the Mutiny Act to withhold them.

General Gascoyne approved of the clause, and lord Proby opposed it. Mr. Manners Sutton concurred in the suggestions of Mr. Horner; and after a short conversation, in which Messrs. Whitbread, Preston, and Lockhart, lord Palmerston and colonel Wood took a part, the clause amended according to these suggestions was agreed to.

Mr. *Bennet* then rose and said:

Mr. Brogden; I rise, pursuant to notice, to move certain clauses in the Mutiny Bill now pending. From the terms in which the Mutiny Bill and the Articles of War are usually described, one would be led to suppose that they contained something like a distinct, intelligible code of crimes and punishments; while, on the contrary, nothing can be imagined more vague and indefinite. For, although the Mutiny Bill professes to be a statement of military law, it contains no precise precept; every thing being left to the arbitrary judgment of a Court-martial, with whom it rests to decide upon the character of an accusation, as well as upon the punishment of the accused. By a particular clause, indeed, in the Mutiny Act, it is consigned to the discretion of a Court-martial to determine, and to punish whatever is contrary to military discipline: and thus a member of the British army is liable to be punished for an act which, until the moment punishment was awarded, might have been deemed innocent. It is imagined in this House that the Act which you are now passing comprises the whole body of Military Law, than which nothing can be more erroneous. For under the shelter of certain references in that Act, there is first "A Collection of Orders and Regulations" issued from the office of the noble lord opposite (Palmerston), comprising near 700 pages. There is also a publication, technically called the Blue Book, intituled "General Regulations and Orders," issued from the office of the Adjutant-general, and, in addition to these, a variety of Orders and Circulars are issued daily, which equally become Military, not Constitutional Law; and may be termed the Rescripts of the Secretary at War. These are much too voluminous to be understood, and certainly are too complicated to come within the comprehension of the body of the British army.

Under all these considerations, therefore, Sir, I cannot but think the noble lord, and right hon. gentleman (Mr. Manners Sutton), assisted by his Majesty's law officers, and under the superintendance of proper military authorities, could not employ their summer leisure more justly, more humanely, or more agreeably, than in digesting and simplifying those numerous enactments, with a view to the establishment of some intelligible code for the government of our army, in order that every officer or soldier should know what laws he is called upon to obey. It is now, Sir, about 100 years since the first enactment of what might be called a Mutiny Act. In the first instance, that Act consisted only of a few clauses; but since that period a number have been added—with a view, no doubt, to multiply orders, but in no degree tending to render that code more complete or more definite.

Having made these prefatory observations, I shall proceed to adduce cases in support of the first clause I intend to submit to the House, which is, to "limit and restrain the power of the Crown to dismiss or cashier officers without a Court-martial." The necessity of such a limitation cannot, I conceive, be disputed in argument; and many facts have served to place the question beyond a doubt, for they have fully demonstrated the abusive exercise of that authority which at present is annexed to the Crown. Certainly an officer who brings groundless charges against his superior, should be punished: but he should be punished by trial, and by law, and not by the caprice or whim of any individual, be he who he may.

The first case I shall mention, is that of the officers of the 85th regiment, respecting which I have received, and I suppose every member of this House has received, a printed statement, which proves how little they deserved the fate they have experienced. They were commanded to prefer charges against their colonel, precisely in the form prescribed to them by the Horse Guards. These officers were in fact, ordered to prosecute on charges which they never originated, or were willing to sanction: they were full of clerical errors, which they were not even permitted to correct. The case of these officers was indeed most remarkable. Prior to the year 1801, if an inferior officer brought his superior to a Court-martial, and failed in obtaining a verdict, he became himself an object of trial; and if it were proved that his conduct had been improper, and that he had not been actuated by a true sense of what he owed to the good of the service, he was broke. I do not, Sir, at all quarrel with the practice; it is right and salutary: it is necessary for the preservation of the discipline of the army. But it never was contended, before 1801, that the Crown had the power, or if it had the power, was it ever the practice to dismiss officers from the army, to deprive them of their purchased commissions without military trial, for the simple offence of failing in a military prosecution. Now what was the case of the 85th? The regiment had returned from Holland, after a campaign which, however discreditable to some persons, was honourable to that regiment. The officers lived together in perfect friendship, when unfortunately a quarrel arose between their lieutenant-colonel (Ross) and their major (Ottley); the latter wrote down to the senior captain, intimating to him, by the express desire of major Mathews (at that time the assistant secretary to the Commander-in-chief), that certain reports of his conduct on the part of col. Ross had reached the ear of the Commander-in-chief, and requesting information. The officers living upon the most friendly terms with their lieutenant-colonel, were most unwilling to furnish any evidence that might operate against him; they, however held a meeting, and in consequence of the pressing demand from the Horse Guards, they returned an answer to the various inquiries submitted to them, which answer they also sent to col. Ross, who allowed they had no option, and that they could do no otherwise. To the great astonishment of the officers, however, one year after their report was made, they were ordered by the Commander-in-chief to become the prosecutors of col. Ross. In vain they remonstrated; in vain the senior captain hastened to London to obtain the revocation of this order; in vain they stated that many of their witnesses were out of England,—that they had no interest, no concern in the prosecution,—that it was foreign to their feelings, contrary to their opinions,—that they were witnesses not prosecutors;—in vain they urged, that even if they were compelled to act as prosecutors, the charges were so drawn that they could not prove them, that they were contrary to the evidence they had been compelled themselves to give,—that they were full of clerical errors.—The answer was in all the insolence of military despotism, "That his Royal Highness ordered the eight officers to be considered as prosecutors,—that the Judge Advocate (sir C. Morgan) had drawn out the Charges, as they then stood, in a legal form, and that no alteration would be permitted." In this way the trial began. The officers stated to the Court that they were compelled to come forward as prosecutors: they disowned the Charges in the present shape, and declared their inability to prove them.—As might have been expected, col. Ross was acquitted; but his prosecutors were cashiered.—Now, it has been said, that these eight officers were privately informed, that if they proceeded in the prosecution, and failed, they would all be broke;—it is affirmed also, that a letter was written to that effect. Now, Sir, I am commissioned to state here, that no such message, no such letter was ever received; I am instructed to declare the statement a direct falsehood, be the person who he may who made it. How then is it to be endured, not only that officers should be dismissed the service, should be cheated out of their commissions, but that the Crown, to effect these mean purposes, should force them to become prosecutors against their will, and that it should turn witnesses into accusers? If such be the law, and the practice of the army, a Court-martial is a mere mockery: it is an insult to talk of a trial;—far better would it be to place the life and limb of the officer and soldier at the mercy of the Crown, acting by responsible ministers, than to hold out that as a boon, which is meant to be a curse, and to affect to govern by law, when there is no law but the will of the Commander-in-chief. But what is more extraordinary in this transaction, the order was issued in his Majesty's name at a period (in 1801) when, according to the evidence of Dr. Willis, his Majesty was in a state of mental derangement: thus the name of the King was abused. Is it to be endured, that the King is to be dragged from a sick chamber to the council? That his hand is to be unmanacled at the will of a chancellor, or any other person, for the unworthy purpose of signing away the characters, the fame, the fortune of a body of gallant officers, and respectable men, many of whom had shed their blood in his service? Is it to be borne, that my lord chancellor (Eldon) is to drag forth the sovereign, from a state of personal restraint, to sign away the fortune and characters of eight gallant officers? And that they are not only to be thus deprived of their commissions, but the injustice and violence practised against them, is to serve as a precedent for the further perpetration of similar enormities? Their case has been quoted as an authority to prove the legality of the dismission of officers without trial. Severe as the blow, and cruel as the injury is to those brave officers, they feel them the more severely because they are thus made to furnish an authority for inflicting the same barefaced injustice on others.

The other cases which I shall now submit to the committee, are either taken from the individuals concerned, or from sources which I cannot doubt. Lieutenant Ridsdale I have seen, and his case is as follows: Serving with the Wexford militia, he had been grievously ill-treated by by the abuse of the royal authority in 1811. In aggravation of which I consider it, that his grandfather lost his life in the service of his country, as did his elder brother; and that his father served in the army no less than 40 years. Yet this meritorious officer was the victim of abused power!—[Here the hon. gentleman read the charges and sentences of the Courts-martial which arose out of a momentary dispute with another officer, in which he was in no way to blame.] Surely, Sir, from the complexion of these documents, it could hardly be supposed that lieutenant Ridsdale would not have been restored to the service, particularly as captain Boyd was with all his censures so restored; a letter was however clandestinely written by his commanding officer, colonel Phair, of a slanderous description, by which it was prevented, and which letter he at first denied, and never could justify. The Commander-in-chief at last, from what reason I never could divine, except it was from his knowing him to be an ill-used person, gave him a commission in a West-India regiment. Previous to joining this corps, lieutenant Ridsdale thought it an indispensable duty to clear his character from the aspersions cast upon it: when, instead of being himself made the subject of a court-martial, and colonel Phair being called upon to prove his assertions, he (lieut. R.) was unaccountably compelled to prosecute colonel Phair: the consequence was, as usual, the rules of evidence were violated, his charges were not found proved, and he was dismissed the service! What must be the feelings of this young officer, when, upon endeavouring to get a hearing subsequently to this decision, he received a letter from general Torrens desiring him literally, "not to importune that office any more." If general Torrens is in the habit of thus treating officers who complain of oppression, it were better for the army and the office, that general Torrens should be removed from it. Now what, I ask, was the situation of this young man? What was he to do? He had been insulted, struck, dragged about like a felon, convicted of having sent a challenge; but, from the circumstances of his situation, strongly recommended to mercy: but his colonel, underhand, interferes, and the mercy of the Crown is not extended to him. It is however extended to the prosecutor, who had been broke, and who ought from the nature of his offence never to have been restored. At last, however, the Commander-in-chief gives lieutenant Ridsdale a commission: the moment he obtains it, "Now," he exclaims, "I am a soldier again; now my character can be re-established." He then immediately applies for a court of inquiry; it is refused; he applies again; it is refused once more; he renews his demand, and he is ordered to prosecute colonel Phair: he does so; the Court-martial acquit colonel Phair, and lieutenant Ridsdale is cashiered.—Now what would gentlemen wish this officer to have done? Was he to have submitted to the insinuations of colonel Phair? Was he to have joined his new regiment with the stain that colonel Phair had fixed on his name? For my own part, Sir, I think lieutenant Ridsdale acted honourably, though not wisely; for he ought to have known, that as the army is now administered, there is no safety in an inferior officer under any circumstances prosecuting a superior. He must patiently submit to the injuries to himself and to the service, whatever they may be.

The next case I shall adduce is that of captain Tuton, who was ordered to prefer charges against another officer in the form prescribed by sir John Stuart, contrary to his own judgment. What was he to do? Compelled by the regulations of the service to attend to the complaints made to him as superior officer, and ordered by his general to prosecute; he wished to put the charges into something like order, instead of the mere complaints as they were taken from the men's mouths; but he was prevented, and compelled to undertake their proof in the prescribed form. Yet in consequence of the decision of the Court-martial against his charges so preferred, this officer was dismissed by the alleged command of the King. But the case of this officer was aggravated by this circumstance, that the conduct of the Court-martial was so irregular, as to be condemned by the two solicitors who attended to conduct the prosecution and defence. In fact, I have it from undoubted authority, that such was the puerile conduct of the members of that Court, that, instead of performing their judicial functions, after publicly betting on the result of the trial, they chiefly amused themselves throughout with cutting papers and sticking them in the hair of the President!! The letter of the two solicitors, both of them most respectable men, is a proof of the nature of the tribunal; and of the propriety of making its decisions conclusive as to the characters and fortunes of those who are unfortunate enough to be prosecutors before it. I shall now read the Solicitor's letter, addressed to captain Tuton.

"Dear Sir; Those friends of yours who consider that you did not conduct the Court-martial properly on your part, labour under a great mistake, and they should be informed, that in the first place you did not wish to appear in the character of prosecutor against captain M'Arthur, and therefore merely stated the complaints of the men as you received them; and afterwards when you found yourself driven into the situation of prosecutor, you called on Mr. Tanner and myself, for our professional assistance, with a view to the matter being conducted regularly, properly, and fairly; but such was the conduct of the Court (acting apparently under an extraordinary bias in favour of the prisoner!) that Mr. Tanner in a very early stage of the trial, seeing the inclination of the Court, and their determination not to be governed by the established rules of evidence which was contended for, and being disgusted with the very improper and irregular mode of proceeding, withdrew himself from the Court, and recommended you no longer to appear in the character of prosecutor. Though the Court obliged you to proceed, and though I continued my attendance at the Court a day or two after, Mr. Tanner had withdrawn himself; it was not with any hope of assisting you, which was quite impossible; but merely to witness the novelty of such a mode of trial as I never before heard of, and such as I am willing for the honour of the army to believe was unprecedented. Improper bets were made in Court by the members and the president himself, as to the time the trial would occupy, if conducted in the regular way we contended for; and we were, contrary to every rule of evidence, precluded from giving such evidence as ought to have been heard, and such as must have changed the complexion of the transaction altogether very materially. But I need not enlarge on this, which is fully and accurately stated in your reply, particularly as to the questions you put to sir Charles Asgill, which he declined answering on account of its being private conversation, and which was not a legal objection.

"The Judge-advocate, (colonel Ryves) in various instances, attempted to correct the Court in its proceedings, but without effect, and was evidently very much distressed at the improper and indecorous behaviour of the president and members. Mr. Tamlyn, who attended on behalf of the prisoner, has several times admitted to me that he never witnessed such proceedings in his life, and that in his opinion the president and members were highly culpable. Indeed, there can be but one opinion about it, and every one must regret that the army should be so disgraced by such a proceeding; though I still trust it will not be deprived of your services, which, on a fair investigation of the matter in question, certainly would not be dispensed with.

"I can only say you have my best wishes that you may yet obtain justice, and remain, dear Sir, yours faithfully,

" *Barnstaple,* W. Law."
June 20, 1814."

I shall make no comment on this letter; but if officers are to be cashiered by tribunals so conducting themselves, the tribunals must be reformed. The system must be reformed, or the army will become a service into which no gentleman will enter. I have taken the greatest pains to inform myself of the truth of the facts which I have brought forward; and I should have resorted to captain Tuton himself, if I had not been informed he had lately been gazetted as an ensign, which circumstance naturally made me delicate of subjecting him to any answer on the subject: and I trust that no other result of the present mention of his case will occur, than the accelerating the work so well begun.

In reference to the case I have just stated, I cannot but remark on the lamentable defects of Courts-martial in respect to the want of a person of the legal profession to guide their proceedings. It is shocking to think of the ignorance sometimes displayed. Nay, not only military officers are appointed to the important office of judge-advocate, but I have seen a letter from the office of the right hon. gentleman (Mr. Manners Sutton)—I do not know if it happened in his time—where a president was called upon to nominate a person to officiate, and who should be acceptable to himself!

I shall next notice the case of lieutenant Blake of the 55th foot. The ground of the charge I cannot defend, but the procedure was most extraordinary. While a close prisoner in Windsor barracks, a Court-martial assembled for his trial in Holland. Having moved for a Habeas Corpus, which was refused, on the plea that the Court had no jurisdiction, he was released by the military authorities, and suffered to be at large, and repaired to London, when he saw in a public paper that a Court was assembling for his trial at Harwich. He applied to the office of the Judge-advocate, and was informed they had no knowledge of such a circumstance being about to take place. Almost immediately after, he received a notice to attend his trial; and he could scarcely arrive in time, without any witnesses; while those for the prosecution were all prepared and arrayed against him. The consequence of this trial was, that he was cashiered. Another case to which, Sir, I wish to call the attention of the committee, is that of ensign Cowell. I have attentively read that trial; and the more I consider all the circumstances connected with it, the more am I astonished. I understand the right hon. gentleman (Mr. Manners Sutton) was not present at it, but was represented by the Deputy Judge-advocate-general. And here I cannot but take occasion to observe, that this Deputy Judge-advocate not only fills that important situation, but also fills the by-no-means unimportant one of Chief Clerk to himself! and, in addition to these, is comfortably established in the business of an army agent. The latter office I think must evidently be very incompatible with the judicial duties of his original station. In fact, it is utterly impossible that these various avocations can be filled with equal attention, and least of all the important duties of Courts-martial. I wish, however, to ask the right hon. gentleman, whether he approves of that Court-martial (ensign Cowell's), as to its legal character? Whether he approves of the charges that were brought forward, whether of the evidence, whether of the garbled letters that were used, and lastly, whether as lego-military adviser of the Crown, he thought it his duty to apprize the Commander-in-chief that the sentence was at variance with the evidence?

From all these cases, Sir, and from all I have ever heard on the subject, I feel it necessary that some limitation should be placed to the power of the Crown. It is clear that that power has been grossly abused, and that abuse having been published to the whole world, it is, in my opinion, the bounden duty of this House to protect, by every means within its reach, the lives and fortunes of those gallant men who form the British army. I shall, therefore, Sir, conclude by moving a clause to that effect: viz. "That it shall not be lawful for the Crown to dismiss any officer without a Court-martial, for any offence arising out of a Court-martial, whether he has been either prosecutor or witness."

The clause was then brought up, and upon the question being put, Sir *F. Flood* offered a few remarks on the case of lieutenant Ridsdale, and contended that he had most properly been dismissed the service. With regard to Courts-martial in general, which the hon. member had attacked, he thought them subjects of commendation, as they were courts of strict law on one side, and courts of equity on the other.

Mr. *Manners Sutton* hoped the House would not expect him to be prepared to go at length into all the cases stated by the hon. gentleman, some of which he had never heard of before. As for the first case, it had occurred many years before he came into office, and he did not at all know the minutiæ of it. As to the case of colonel Phair and lieutenant Ridsdale, the Court-martial had taken place in Ireland, and the proceedings had never come to his office. As to captain Tuton's case, the assertions in his memorial had been flatly denied by the members of the Court-martial. Lieutenant Blake had been guilty of great outrages at Windsor, and afterwards sent in his resignation to the Horse Guards. It was not then thought proper to accept it, and he had been brought to a trial at Harwich, and found guilty. The hon. gentleman must have been misinformed respecting the notice of trial, as copies of the charges were invariably sent both to the prosecutor and the prisoners, before the day of trial was fixed. He next came to the case of ensign Cowell, and it gave him great regret to find this case so often alluded to. He was aware of the great difficulty and delicacy of the case respecting fighting duels, and was sensible of the inconsistencies in the Articles of War upon that head. He, however, apprehended, that greater evils would result from an alteration of them. He was satisfied the case of ensign Cowell was much misunderstood. He believed the facts of the case to be these: Ensign Cowell got into a personal quarrel at the theatre at Bourdeaux, with a man who was pressing into the box in which he sat. He then turned about to some officers near, and asked what they advised him to do. Their answer was —"Take no notice of him, we suppose that he is not a gentleman." Ensign Cowell shortly after asked the man whether he was a gentleman, and obtained his address. Ensign Cowell, however, let some days elapse without taking any further notice, and the gentleman, a Mr. Hurley, then began to look for him. Ensign Cowell then asked for an apology, which was positively refused, and afterwards the explanation came from ensign Cowell, who said that he had not known him to be a gentleman. The officers, upon hearing of this, refused to mess with him, and sent him a letter intimating to him that he should resign. He actually did send in his resignation, but afterwards retracted it, and called for a Court-martial. As to the complaint of officers being dismissed in consequence of failing in their charges, it must be observed, that Courts-martial were always granted when one officer wished to bring charges against another. The freedom of granting those trials could only be restrained by the liability of the persons bringing the charges. It was not for merely failing to prove charges that an officer was dismissed, but for bringing forward charges without any reasonable foundation for them. As to discretionary power, it was always liable to abuse, wherever it was vested; but the advantages to be derived from the honest application of a discretionary power were often found considerably to outweigh the evils apprehended from its abuse. He thought there was no species of discretionary power which might with greater safety be left in the hands of the Crown. Every act of it was done in the face of the day, and open to observation. He should therefore feel it his duty to resist the introduction of the clause into the Bill.

After some further observations, in which lord Palmerston, Mr. W. Smith, sir G. Warrender, general Gascoyne, Mr. Wynn, lord Compton, and Mr. Bennet participated, the clause was negatived without a division. Mr. Bennet said, it was not his intention to move the other clauses at that late hour; but he would take that opportunity of giving notice, that on Wednesday next he should move for leave to bring in a Bill to limit the number of lashes to be inflicted by the sentence of a Court-martial. The Report was then agreed to.

Loan to the Corporation of Liverpool.] Mr. *Birch* rose to submit a motion to the House, founded on the transaction, which had come to his cognizance, between the Treasury and the Corporation of Liverpool. It appeared that the Treasury had lent to the Corporation of Liverpool, without the authority of Parliament, two sums—of 30,000*l.* and of

20,000*l.* It was the more remarkable also that the second sum had been lent, although the interest of the first sum had not been paid. The security on which this sum was lent was a warehouse, or rather shed, rented by Government for the purpose of warehousing tobacco, of which the value could not be above 10,000*l.* It was true the rent which Government paid for this place was 5,000*l.*; but this rent was fixed between the two parties, and was, he thought, an extravagant charge. The rent of the warehouse before rented by Government for the same purpose, was only 700*l.* a year, and at the same rate this warehouse would not be worth more than 2,000*l.* It was for the House to say whether this was sufficient security. The principle, however, of the loan, which was open to the imputation of being made subservient to the purpose of electioneering influence, was the most objectionable. The authority of Parliament had not been given, and the transaction could only be compared to the loan to Boyd and Benfield, for which the minister of the day was obliged to ask an Act of Indemnity from Parliament. Loans to individuals, even when the authority of Parliament was not required, were not justifiable, except in such cases as the loans to the manufacturers some years ago, and that to the planters of Grenada. He should therefore move, "That there be laid before this House an account of any loan of money which may have been advanced by the public for the docks at Liverpool."

The *Chancellor of the Exchequer* said, he did not intend to oppose the motion; but he should enter into a short explanation of the transaction. The loan to the house of Boyd and Benfield was very different from the present case; that was a loan of money which was in the hands of the Treasurer of the Navy, for navy purposes, to the contractors for the loan for the year; so that it was a loan justified no doubt by the circumstances of the case, of money, by the Government to those who again lent it to the Government. But in the present instance, the Government having contracted for a warehouse at Liverpool, for which they were to pay an annual rent, which was thought more convenient than to pay a large sum for purchase-money, the Corporation of Liverpool, who were the contractors, represented that their funds would not enable them to proceed without a loan. They also stated, that on account of the circumstances of the times, they could not procure money at 5 per cent. from private individuals. The Government considering the security unexceptionable, a second application was afterwards made, which, though there was not the same claim on the Government, yet, as the money was to be applied to build a dock, which would materially assist in preventing smuggling, the Government thought fit to comply with it. Besides the rent paid by Government for the warehouse, which was double the interest of both the sums, they had the security of the Corporation estates, which produced a rent of 51,000*l.* a year, and were worth much more than a million of money. The Government had always made use of its discretion in the purchase or building of warehouses for the purpose of collecting the revenue, and the present case came within the ordinary exercise of that discretion, as it was, in principle, no way different from a purchase of the warehouse in question. He ridiculed the idea of the loan having been made with a view to any influence on any election.

Mr. *Wynn* thought this advance of money most unconstitutional, and observed that it would, if acquiesced in, open a door to abuses of which no man could see the end. The same might be done for Bristol, or any other town which happened to be in favour with the Treasury. The town would first get the money from the Treasury, and then it would only remain to be justified to the House, which was easier than to make out a case for obtaining it from Parliament. Under a Government less pure, the loan might be open to the charge of being granted for the sake of parliamentary influence.

The *Chancellor of the Exchequer* observed, that the loan was merely an anticipation of the rent.

General *Gascoyne* contended, that the warehouse in question afforded most ample security to the Government, as more than 50,000*l.* had been laid out on it before the money was borrowed from Government. The part which was not used by Government was let out by them, and had produced sometimes 10,000*l.* a year —so much for the overcharge of rent. He could not speak as to the law of the case; but as to the usage, the loan to Liverpool was by no means singular. Money had been granted to the London and other Dock Companies. The money which should have been applied to build a walled dock, had been diverted to the purpose of building a warehouse for the Government, and of course the Corporation was justified in applying to the Parliament, or rather the Treasury.

Sir *J. Newport* said, that though the hon. general did not profess to be acquainted with the constitution, he seemed well acquainted with the best way of procuring money for his constituents. The hon. member for Liverpool had asserted, that large sums had formerly been granted to the London Dock and other companies. But then they had been granted by the authority of Parliament. If the precedent of Liverpool were admitted, why might it not be extended to Bristol, to Glasgow, to Dublin, or to Cork?

Mr. *Bankes* expressed his conviction that his right hon. friend had acted from the purest motives, but argued that the principle on which he had so acted was utterly inadmissible. It was high time that such a practice, if it had prevailed to any extent, should be stopped; and he expressed his satisfaction to find that the motion was to be acceded to; as it would put Parliament in possession of the fact on that point.

Mr. *Benson* warmly defended the conduct of the Corporation of Liverpool. An ample security had been given by them for the money advanced, the interest had been paid, and the whole transaction was one not of secresy, but of perfect publicity.

Mr. *W. Smith* reprobated placing the disposal of any part of the public revenue at the discretion of the Treasury, instead of the discretion of Parliament. At the same time, he did not attribute any blame to Government but that inadvertence.

Mr. *Birch* in reply stated, that the Corporation of Liverpool had applied, or had intended to apply, for a remission of the interest, amounting to 4,000*l.* He denied that the transaction had been so public as it had been described.

The motion was then agreed to.

VACCINATION BILL.] Mr. *Wynn*, after alluding to the national benefit of the propagation of this antidote to the small-pox, and observing upon the necessity of doing away the prejudice that prevailed against it amongst the lower orders, through some instances of its failure, moved for leave to bring in a Bill, "For procuring the benefit of Vaccination to such poor persons as are desirous of receiving it."

Mr. *Bankes* said a few words on the advantage of the process to society at large, and on the impossibility of preventing it from failing in a few cases.

Mr. *Whitbread* thought it highly important that it should not be supposed that because vaccination had in a few instances failed, that inoculation with variolous matter had not failed also. He had known instances of persons who had been inoculated with the natural small-pox, having taken the infection after a lapse of twenty years.

Mr. *Bankes* thought there had been as many instances of failure in cases of vaccination, as in those of variolous inoculation. He was, however, highly in favour of the former process.

Leave was given to bring in the Bill.

HOUSE OF LORDS.

Friday, June 16.

FREEHOLD ESTATES BILL.] Earl *Grey* gave notice that he would on Thursday move the second reading of the Freehold Estates Bill. He was very desirous that the noble and learned lord who usually sat on the woolsack should be present at the second reading of this Bill, and he was not without hopes that the noble and learned lord would be able to attend on the day which he had named: but considering that this Bill had twice passed the other House—the first time by a great majority, the second time without any opposition to it—and considering also the advanced period of the session, he could not venture to defer the motion for the second reading beyond Thursday. If the noble and learned lord could not then attend, there would be others to state the objections to the Bill, if any objections could be stated to a measure which appeared to be founded on such clear and undoubted principles of equity and justice.

Lord *Ellenborough* expressed his hope that in case the noble and learned lord who usually sat on the woolsack could not attend on Thursday, the noble earl would be induced still farther to postpone the motion, for no man was better acquainted with the law of real property than that noble and learned lord; no man more capable of explaining to their lordships the fundamental change which the passing of this Bill would introduce into the system: but if the noble earl refused to delay it farther, and the noble and learned lord could not attend, then others would doubtless state the reasons why it appeared to them that the Bill ought not to pass into a law. It would be recollected that the noble and learned lord to whom he alluded, had in former sessions stated his objections to the Bill, and their lordships had refused to pass it.

East India Ships Registry Bill.] Viscount *Torrington* said, that as counsel could not be heard that evening on the second reading of this Bill, as was intended, owing to the indisposition of one of them, he would not object to the Bill's being now read a second time, but would afterwards move, That counsel be heard on the commitment of the Bill on Tuesday next.

The Earl of *Buckinghamshire* observed, that as the noble lord seemed to have no objection to the Bill being now read, and was desirous that counsel, under the circumstance to which he referred, should be heard in the committee on Tuesday next, he would not object to the proposed arrangement, and would move that the Bill be now read a second time.

The Earl of *Donoughmore* observed, that the proposition of a measure of such vast importance to the trade, the shipping, and navigation of the country, should be accompanied by some statement of the grounds on which it was brought forward. A statement of the kind had been given in another place; and he deemed it proper that that House should be informed of the grounds upon which so questionable a measure was brought forward.

The Earl of *Liverpool* said, that such was the intention; but as it had been proposed that counsel should be heard that day before the second reading, it was deemed the most regular time to make the necessary statement of the grounds, after the counsel were heard. It now appeared that, from the indisposition of one of the learned gentlemen, counsel could not be heard that day; and it seemed the intention, for general convenience, that the discussion should not take place till the next stage, when his noble friend, or some other of his Majesty's ministers in that House, would be prepared to state the grounds of the proposed measure.

The question was then put, and the Bill was read a second time. On the question for its commitment,

Lord *Sheffield* said, he could not reconcile it to himself to suffer a Bill of such a nature to be read a second time in silence; as one more mischievous in its tendency, or more calculated to produce injurious consequences to the vital interests of the country, he never knew.

The Bill was committed for Tuesday.

Viscount *Sidmouth* communicated to the House a Message from his royal highness the Prince Regent, announcing his Royal Highness's intention of calling out the British and Irish militia, or such part thereof as might be judged necessary. His lordship thereafter moved an Address of Thanks in return to the Message, in the usual form, which was agreed to *nem. con.*

Foreign Slave Trade Bill.] The Marquis of *Lansdowne* moved, that the Report of the Foreign Slave-trade Bill be now received.

The Earl of *Westmoreland* rose to state his objections to the Bill, which had not been at all removed by any amendments which had been introduced since the subject was last under discussion. His lordship then re-stated the objections which he had before urged against the Bill. He was a friend to the principle of the Bill for two reasons; first, because it was but justice to our own West India proprietors and planters, that every exertion should be used to put a stop in other quarters to the Slave-trade, when we had abolished it as far as concerned our own colonies; second, because it was proper that having passed a law we should do that which was necessary to give effect to that law. The general object of the Bill he therefore approved; but he strongly objected to some of the means by which it was proposed to carry that object into effect, because, in his opinion, they were calculated to entrap the innocent. The Bill had two objects; first, to prevent the lending of British capital to be employed in the Slave-trade; second, the lending British money on the security of the estates in the foreign colonies; as money so lent on mortgage would be, in all probability, employed in this traffic. Now, if a person had already taken such a security, he would, on the passing of this Bill, be liable to the punishment, if he rested upon that security, and yet it might be impossible for him immediately to change it. Then, if a person in this country had an agent or partner in the West Indies who lent money in this way, he might be rendered liable at least to trial and prosecution for the act of another. Matters of account, the most innocent transactions in the world might be made the ground for a prosecution for felony. A man might entrap another to lend him money, and then employ that money in the Slave-trade for years. But if he could, by false testimony, or otherwise, procure the conviction of the lender of the money, he was, under this Bill, to be completely purged of his crimes, and quit of the debt. It was impossible for him not to look with alarm at such a provision. The principle of legislation, as he understood it, ought to be 'ut pœna in paucos, metus in omnes perveniat.' It could not be said of this Bill, that the *pœna* would fall only on few, but certainly the *metus* would fall upon all those who had property or transactions in the West Indies. And then the mode of trial was objectionable. A person residing here might be sent to the West Indies for trial, or if tried here, he must procure his witnesses from thence. Persons might be tried, too, by a commission, or before the jurisdictions in the West Indies, and on the coast of Africa; and his lordship stated, that three men had lately been tried before a surgeon at Sierra Leone, and sent to this country, a three-months voyage, in irons. It had been found that these men had not committed the offence within the jurisdiction, and they were discharged. Now, his objection was not to the punishment: let the punishment be what it would, they ought only to punish the guilty; and his objection to this Bill was, that it was a snare for the innocent. The noble marquis, and the other lords on the opposite side, were all alive when, in consequence of certain riots, it was proposed to extend the penal laws. The most rigorous investigation was called for. A noble friend of his (viscount Sidmouth) brought down the green bag in form, and the matter underwent the most anxious inquiry: but here was a severe penal law about to pass in the most crude and imperfect state. He understood that some further amendments were to be proposed, however; and not wishing to object to the principle of the Bill, he should only move, That the Report be taken into further consideration that day se'nnight.

The Marquis of *Lansdowne* could not agree to that proposition. All the amendments might be made now; and he himself intended to propose some amendments: one was, that the felony, with its consequences, should be left out, and that the offence should be punished as a misdemeanor, by transportion for seven years. He had likewise introduced the words 'knowingly and wilfully' in several places, so as to guard the innocent, the knowledge and intention being necessary to constitute the offence. As to the green bag, he had no green bag to bring down for such a purpose. He admitted, that on the occasion alluded to, he was anxious that every investigation should be made in order to show the clearest necessity before enacting several penal laws. He did not recollect that he had the noble earl's assistance on that occasion. It had been said of an eminent historian, that his humanity never slept except when Christians were persecuted. He trusted it could not be said with justice of any noble lord in that House, that his humanity never slept when slave-traders were to be punished. But he admitted that the necessity must be clear, and in the present instance it was notoriously so. In the last four years, 4,000 slaves had been captured, which proved the great extent to which the trade was carried on.

The Earl of *Westmoreland* said, his objection to the Bill was not affected by the alteration. He was still apprehensive that innocent persons might suffer.

Earl *Stanhope* said, he had never seen a bill more inaccurately penned, and he thought the best way would be for his noble friend to prepare it according to his own wishes, and then move that it should be printed.

Lord *Ellenborough* said, that when this Bill first met his eye, it was much more defective in mercy and in sense than any bill which he had ever known. Parliament ought not to be disgraced by such a bill. Because he might wish to protect the black man, he would not therefore subject the white man to indefinite prosecution and punishment. He doubted whether it would not be fitter to reject at once such a crude bill as the present, as the labour of reducing it to any thing like a proper shape would be incalculable. The Bill not only advanced at once to transportation for fourteen years, but several things were made punishable in this way which were not crimes at all. For instance, during the last war, several islands had surrendered to his Majesty's arms, and from this it might happen that the same person held estates in the islands of Jamaica and St. Thomas. Now, supposing him to convey slaves from his estate in St. Thomas to strengthen the hands on his estate in Jamaica, by the present

Bill this would subject him to the penalty of transportation for fourteen years. There was no excuse for bringing such miserable and clumsy performances before Parliament. While the Bill subjected men to the punishment of transportation for transactions which were perfectly innocent, a man might be exempted from its operations who was covered with the sin of the Slave-trade from the crown of the head to the sole of the foot. When men set themselves up for legislators, they ought not to act under the influence of blind passion.

The Earl of *Liverpool* approved of the principle of the Bill. It was an act of justice to the person who framed the Bill, to state that he was himself a West India proprietor, and could not be supposed to be actuated by any of the wild ideas which were entertained by some men on this subject.

Lord *Redesdale* objected to some of the clauses.

Lord *Ellenborough* thought, if they allowed this Bill to struggle into life, it would afford an encouragement to send up bills without the ordinary members and limbs—without either sense or composition. He was afraid they would never be able to put down the Slave-trade, so long as the condition of slavery was allowed to subsist—the chasms of the black population would always continue to be supplied in some way or other which the law could not reach. But still that ought not to induce them to forego the discharge of their duties. The offence was contrary to the law of God; and it was their duty to endeavour, in every proper way, to prevent its commission.

After some farther observations from the marquis of Lansdowne, the earl of Rosslyn, lord Liverpool, and lord Stanhope, the Bill was ordered to be recommitted on Wednesday.

HOUSE OF COMMONS.

Friday, June 16.

Chapel Exemption Bill.] The Chancellor of the Exchequer moved the order of the day for the third reading of the Chapel Exemption Bill.

Sir *W. Scott* rose to give his decided opposition to this Bill. It was unnecessary for him to preface his observations by referring to the enormous increase of sectarians of late years in this kingdom;—there was not a town, a village, or hardly a street in which they had not erected a chapel; and the consideration of their exemption from parochial assessment became a matter of no small importance. The ground on which the present Bill was now introduced, was not built upon any alleged grievance on the part of those dissenters; it was not accompanied by any claims for a relief from hardship: he was therefore entitled to assume that no case of complaint existed, and that the plain object in view was an exemption from tax. Now, he knew no places of worship which were exempt from parochial rate, except chapels of ease, places of worship from which no pecuniary stipend was drawn, and the chapels of foreign ambassadors; all others were rateable, because they belonged to proprietorships, who derived emolument from them, and thereby laid them open to ordinary burthens. Unless this subject was taken up gratuitously by his right hon. friend the Chancellor of the Exchequer, he must suppose he had been instigated by the influence of those religious people for whom the exemption was sought. Now, they came forward with no cause of oppression or injustice; and on what grounds of expedience were the arguments built, which were to create this innovation in the law of the land? Why, that the Bill would produce conciliation through various classes of the community belonging to the churches of England and Scotland. But, it appeared there was no want of harmony and cordiality between these bodies, therefore no bonus of conciliation was required; and his right hon. friend had sallied forth on a diplomatic expedition, to effect a pacification between two bodies, who were already in profound peace. But the plain fact, in his opinion, was, that the parties did not so much seek to take the burthen of rates from themselves, as to throw it upon the backs of others. The increase of population rendered it necessary that those rates should be equally borne by all, and the consequence of any partial exemption would be, that a few would not only escape free, but that their share would be an additional load upon others, who perhaps were already sufficiently encumbered. He denied that any argument of toleration could be drawn from this subject. No man valued this principle higher than he did, but he understood its acknowledged interpretation was this—that every man might exercise whatever form of religious belief he pleased, but that he must contribute his legal proportion towards the maintenance of the church established by law. The Bill before them went directly against this maxim, and claimed exclusive exemption. Whatever spirit of conciliation was meant by its introduction, would, he was sure, be found as nugatory as it was unnecessary, from the circumstance of the non-existence of any division. It would be a mere peace-offering to carpenters, masons, and others, who, however useful in their proper stations, were certainly not entitled to any special grace; and the only effect it would produce was, to hold out an encouragement to commercial speculations in religion, which had, from their universality, become too conducive to purposes of fanaticism. Need he give any other proof of this species of mischief, than the profanation which was practised in private chapels by individuals, such as Joanna Southcott, and others. It was certainly one thing to avoid repressing superstition of this kind; but it was another to enable it, not only to pass without expense, but to throw the weight upon the shoulders of the people who happened to live in the same district. The right hon. and learned gentleman then stated the law upon the exemption of places of worship from parochial rates. This exemption was founded upon the principle, that they were not places of profit. He concluded by expressing his determination to take the sense of the House upon the Bill, and accordingly moved, That the Bill be read a third time this day three months.

The *Chancellor of the Exchequer* never before heard the objections to this Bill propounded in so strong and eloquent a shape as they had just been, by his right hon. and learned friend. It had been argued, that if those chapels were exempt, an additional burthen would be imposed upon the other classes of the community. Now he denied that this would be the case; but even if it were, the House could easily suppose how insignificant the *onus* of that burthen would be, when he informed them that the amount of the chapel rate at present levied in London, did not exceed 4*l.*; so that, instead of shifting the rate, it would remain where it already existed. He concurred in the principles of toleration, as laid down by his right hon. and learned friend; and he would also admit that whenever private chapels became convertible to purposes of profit, they were open to the assessment of rates. Where this was not the case, he thought it a great hardship that any doubt should prevail upon their liability to be taxed. Those chapels were extremely useful to the community in the propagation of religious faith; they were particularly necessary in large parishes, where, without their aid, a great portion of the inhabitants could have no means of being accommodated in places of religious worship; for instance, in St. Mary-le-bone, where there was a population of 70,000, and in St. Pancras, one of 60,000. Unless a measure of this kind were passed, explanatory of the law, in his opinion, an endless scene of petty litigation would be found to exist in bodies which otherwise would be at peace.

Mr. *Bankes* said, that if the whole rate of those chapels only amounted to 4*l.*, where was the necessity of this Bill of exemption? On what pretence ought a person who has no right to complain, to be relieved from any burthen, and to lay it on others? It was an injustice to persons who had come into a parish, under the idea that they had no other taxes to pay than those already established. A man who had built a chapel as a means of profit to be derived from some sort of religious worship, had no more right to be relieved from taxation than the owner of an auction-room or any other place of business. He was not ashamed to say, that he would object to equalising every species of worship, and putting it upon a footing with that of the Established Church—a principle which had never yet been recognised.

Mr. *Butterworth* regretted that the right hon. and learned gentleman opposite had indulged in the application of unmerited epithets to a set of men, who were every way as useful, enlightened, and loyal, as any in the Established Church.

Sir *W. Scott*, across the table, disavowed any such imputations.

Mr. *Butterworth* resumed, and said, the Bill had emanated from a spirit of conciliation; and he regretted that in its last stage, the right hon. gentleman should have come down with the force of his opposition. Had he (Mr. B.) anticipated this, he would have been prepared to show, by the presentation of petitions, that numerous hardships and grievances did exist, which loudly called for redress. The late Mr. Perceval was of the same opinion, and at the moment of his lamented assassination, was contemplating a measure like the present, which he had only deferred until another matter of still greater importance, then pending, was decided by Parliament. As to the speculations of carpenters, masons, and others, he thought they would rather be found in the Church of England than among those societies in question; and he was also of opinion, that the right hon. gentleman might have spared casting the allusion of Joanna Southcott upon persons who despised such fanaticism as much as he did himself. It would be rather extraordinary, and not a little illiberal, if he (Mr. Butterworth) were to draw an argument against the Established Church, from the fact of one of its clergymen having been hanged at the Old Bailey; and yet, what difference would there be between the two observations? The hon. gentleman then explained the nature of those chapels for which exemption was claimed, the great benefits they conferred, and the education they distributed, and concluded by stating, that the most mischievous litigation would follow the rejection of this Bill.

Sir *W. Scott* explained, and hoped that the hon. gentleman would not let his religious zeal get the better of his judgment.

Sir *J. Nicholl* observed, that the case had already been submitted to legal adjudication. It had been adjudged, that all places set apart for religious worship, where no profits were made, were not rateable. It has also been adjudged, that places set apart for education, where profits were not made, were not rateable. As far, therefore, as respected both of those descriptions of property, the Act was quite unnecessary. When profits, however, were made by the letting out of pews, he could not see upon what principle such property was to be exempted from the common burthens. It was perfectly notorious that many buildings were erected for places of worship purely on speculation. It was equally notorious that many of these speculations turn out very profitable; and he could see no reason why, in that case, they should be exempt from the common burthens. He thought that it was straining the meaning of the word 'toleration' very far, to call it a persecution if they were not exempted.

Mr. *Wetherell* thought that, upon the principle of the Bill, those chapels ought to be exempted from all other rates as well as parochial rates. He conceived that it was perfectly ridiculous to maintain the question on the ground of toleration. For whom was this toleration claimed? Was it for the plumbers, the masons, the carpenters, and the bricklayers, who subscribed labour in their different ways, for the purpose of building a chapel as a profitable speculation? The clergymen who preached in those chapels would not be a bit the better for the exemption contended for; neither would the people who attended the chapels be at all benefited. The advantages of the exemption would be confined to the speculators who built those chapels, as it would so far diminish their out-goings. At present, as the law now stood, this description of property was, like all others, subject to transfer and mortgages. The Court of Chancery, in many instances, sent in receivers to take the profit of the pews. He could, therefore, see no manner of reason why they should be exempted from the burthens that all other descriptions of property were subject to.

Mr. *Protheroe* expressed his astonishment at the sudden and combined opposition now made to the measure. He thought the hon. general (Thornton) would have stood alone in his opposition to it. The explanations of the right hon. the Chancellor of the Exchequer were perfectly satisfactory to his mind, and he trusted the House would feel disposed to second his liberal and enlightened views. It should be recollected that the Dissenters contributed very much to the support of their own poor, which was a great relief to the parish rates.

Mr. Serjeant *Best* denied that the Chancellor of the Exchequer had been taken by surprise by himself and the other gentlemen who now opposed the Bill. He himself had declared that he would oppose it. He would protect the interests of dissenting ministers as readily as any man, but not at the expense of the ministers of the Established Church. The Bill was now so altered as to make it more objectionable in his mind than it was at first, by the total omission of whatever related to the Church. The clergymen of the Established Church would be liable to be rated for the rent of his pews, while the Dissenter, who had his conventicle opposite, would be exempted. The opposition to the measure had been characterised as persecution. He was no advocate for persecution. If the clergy of the Established Church were exempted from parochial taxes, and the Dissenters made liable to them, he should say that this was persecution; but as the matter now stood, he could consider the Bill only as a sort of persecution against the Established Church. Where would the friends of this Bill find in any part of it a single clause which rendered such buildings as were erected for the direct purpose of profit liable to taxation? The measure exempted them altogether from every species of parochial tax. If a man avowed that he cared little about religion, and that he had built such a place for the positive purpose of lucre, where was the clause that made him liable to be taxed? This Bill was, in fact, drawing a pretty sort of contrast between the ministers of the Established Church and those of Dissenting Congregations; for whilst the Church of England was left to pay all the poor-rates, the other descriptions of worship were left free. The taxing of the Church was the taxing of its ministers. Why was not the letting of pews in chapels as much an object of taxation as any other object of profit? He wished the ministers of Dissenting Congregations to be supported better than they were, but he wished the Church ministers to be supported also, many of whose livings did not produce above 200*l.* a-year. What would be said, if those persons came to the House next year, and observed, "We are oppressed by taxes from which you have exempted the Methodists; excuse us now, as you have excused them!" The quantity of property to be exempted by this Bill, would make the burthens of others, already as much as they could bear, be in future far more than they could bear. The learned Serjeant then entered into a comparison between the profits gained by pew-letting in certain chapels, and the manner in which their exemption would operate on the parishes, and concluded with giving his decided opposition to the Bill.

Mr. *W. Smith* thought the character of this Bill had been materially over-stated; for it did not appear a matter of much consequence to the generality of the Dissenters, whatever pecuniary interest might be felt in its adoption by the speculating proprietors who built chapels with a view to profit by letting out the seats. But the fact was, that many of these speculators, who were generally carpenters, bricklayers, and plumbers, were members of the Church of England, who erected chapels from a motive which certainly did not entitle them to the proposed exemption. The supplementary chapels, however, which served as chapels of ease for the Established Church, ought to enjoy the benefit of this exemption, as should those Dissenting Chapels which were constructed solely with a view to the public worship of God; and it was impossible that the liberal part of the Protestant community would feel any jealousy against such exemption. But the principle of such exemption was already recognised by the Legislature, which released Dissenting Clergymen from serving in the Militia. Whatever the fate of the Bill might be, it was impossible to mistake the tolerant spirit of the right hon. the Chancellor of the Exchequer, with whom it originated, while the "toleration under certain limits," truly, of the gentlemen by whom it was opposed, was pretty much the same as that which might be professed by Ferdinand the 7th. With respect to the apprehension of the learned Serjeant, that the adoption of this Bill might create irritation, he rather thought that its rejection would not produce conciliation. It was notorious that Dissenters liberally contributed to the maintenance of the Lecturers of the Established Church—contributed, indeed, a hundred-fold more than the amount of pecuniary exemption which this Bill was calculated to produce: and would it then be wise to offend a body so liberal?

Mr. *Baring* supported the Bill, observing, that as it provided that no Chapel should be entitled to the proposed exemption which did not afford one-fifth of its pews gratis, it followed, that no mercenary speculator could avail himself of it, because he must lose more in establishing his title than he could gain by the exemption from the poor-rates; therefore such speculators could not be profited by the measure, while its enactment would serve not only to recognise the great principle of toleration, but to prevent parochial animosities and bickerings in those places where Dissenting meeting-houses were established; and the number of such establishments was one of the best signs of the times, for it proved the progressive advancement of religious worship.

Upon a division the numbers were, for the Amendment, 41; Against it, 22. Majority 19 against the Bill, which of course was lost.

PRINCE REGENT'S MESSAGE RESPECTING THE EMBODYING OF THE MILITIA.] Lord Castlereagh presented the following Message from the Prince Regent:

"GEORGE, *P. R.*

"The Prince Regent, acting in the name and on the behalf of his Majesty, thinks proper to acquaint the House of Commons, that, in pursuance of an Act passed in this session of Parliament, to authorize, under present circumstances, the drawing out and embodying the British and Irish Militias, or any part thereof, it is the intention of his Royal Highness, at this important conjuncture, to cause the said British and Irish Militias, or such parts thereof as he shall think necessary, to be drawn out and embodied, and to march as occasion shall require.

"GEORGE, *P. R.*"

Lord *Castlereagh* then moved, "That an humble Address be presented to his royal highness the Prince Regent, to return his Royal Highness the Thanks of this House for his most gracious Message, and to express the satisfaction afforded us by the information that it was the intention of his Royal Highness to cause the British and Irish Militias, or such parts thereof as his Royal Highness shall think necessary, to be called out and embodied at this important conjuncture."

Sir *John Newport* doubted, whether it was usual for the House to vote an Address, and express their approbation of the Message at the same time. It was proper that an opportunity should be afforded of examining into and deliberating on the subject of the Message, and as many hon. gentlemen were absent who might wish to deliver their opinions on the power to be exercised by the Crown, he hoped the noble lord would not call upon the House at present to express their approbation of the measure.

Lord *Castlereagh* would have no hesitation in deferring the consideration of the subject, if there were really any point for deliberation. He thought it perfectly consistent, in communications of this nature to move an Address to the Crown, and to express the satisfaction of the House. The measure which the Crown was about to pursue was sanctioned by an Act of the House in the present session.

The *Speaker* said, that cases of this description must be governed by their own particular circumstances. There was no rigid rule on such subjects, and they must be regulated just as honourable members might form their opinions.

Sir *John Newport* would not have objected to a mere Address, but did not think it correct for the House, without any deliberation, to express their approbation of the manner in which a power given by Parliament was to be exercised by the Crown.

Mr. *W. Smith* thought it very improper to take the House by surprise. It was extremely possible that some other minister might come down with an address in much stronger terms; and therefore the House ought not to consent to an immediate expression of their approbation. Many hon. members who generally delivered their opinion on this subject, might think it unnecessary to call out and embody any militia at this time.

Mr. *Baring* was of opinion, that an answer to the Message ought not to be given *instanter*, because it came upon the House by surprise. If the precedent were now to be made, any minister might bring down a communication to a thin House, when it would be very improper to give an immediate answer.

Lord *Castlereagh* contended, that it had been frequently the practice to return immediate addresses to communications from the Crown; and, considering the pressing exigency of the present moment, and that the power to be exercised was in pursuance of a Bill passed in the present session, he did not see any advantage to be gained by delay.

The Address was then agreed to.

MUTINY BILL.] On the motion for the third reading of the Mutiny Bill,

Mr. *Manners Sutton* said, that general Cowell, the father of ensign Cowell, had this morning called upon him, in consequence of the statement which he had last night made with respect to ensign Cowell's case. A letter was written to him by general Torrens, respecting the propriety of examining soldiers and non-commissioned officers upon the Court-martial to try ensign Cowell, and in his answer he stated that if the evidence of those soldiers and non-commissioned officers referred to cases unconnected with the immediate subject of the Court-martial, such evidence would be clearly irrelevant, and that the examination of such witnesses, as to the character of an officer, would be a very novel proceeding, which required consideration. The Court-martial, however, decided against the admissibility of such witnesses. This statement he made for the satisfaction of general Cowell; and whenever he should happen, through inadvertency or misinformation, to make any statement in that House, which might happen to hurt the feelings of any one out of doors, he should be ready to correct it.

Mr. *W. Smith* said, that he understood the object of examining the soldiers and non-commissioned officers on the trial of ensign Cowell was to prove the valour of that officer on an occasion which rendered that valour unquestionable, and such evidence appeared to be relevant and necessary upon a trial in which that officer's valour was called in question.

Sir *E. Brydges* had the same understanding upon the subject.

The Bill was read a third time, and passed.

Irish Budget.] The House having resolved itself into a committee of Ways and Means,

Mr. *Vesey Fitzgerald* (the Chancellor of the Irish Exchequer) rose and spoke to the following effect:

It is to-night, Sir, my duty to submit to this committee the amount of the Supply, which Ireland is required to provide for the service of this year, and the Ways and Means by which I propose to make the provision which is necessary; and I cannot lament that on more than one occasion in this House, and in another place, where an inquiry into the state of the finances of Ireland was gone into, the attention of gentlemen has been turned to the revenue of that country and the state of its resources; since so much of what else it would have been my duty to offer to the consideration of the committee, has been anticipated by those discussions. In the statement which I have to bring before you, it will be seen, that however the pressure of the present moment may be felt by England, however great and unexampled the demands on her may be, as represented by my right hon. friend the Chancellor of the Exchequer of England on a former evening, I have, standing here on the part of Ireland, a duty comparatively more arduous to discharge. Ireland has been called upon, in the last two sessions of Parliament, to furnish a supply, and consequent ways and means larger than have ever been made before. Taxes have been laid on to an extent which that country, I fear, was little prepared to expect; and we have now to provide still greater supplies, and by imposts exceeding those of the preceding years, great as were the exigencies of those times. How the present charge had been aggravated, my right hon. friend has sufficiently explained. The liquidation of the arrears of the late war, has, indeed, swelled that charge very considerably beyond the expenditure of any single year. It remains for me, however, to perform my duty. I trust that Ireland will not be found unequal to the difficulties of her situation; and if, in the extent and magnitude of her contribution to the general expenditure of the empire, the sacrifices she has been called upon to make are great, it must be remembered, that there are heavy burthens which have hitherto not been imposed on her, though every other part of the United Kingdom cheerfully endures them. Let us not forget, too, that great as the sacrifices may be for which we are called on now, or which may be required hereafter, they are the price that Ireland pays for her peace and for her strength, for her security and for her glory.

The right hon. gentleman proceeded to state, that he should submit to the committee as distinctly as he could, the amount of the supply, and the ways and means which he proposed to meet it, as well as the provision for the interest of that loan, which, conjointly with the British loan, had been contracted for in this country, and of which the terms had already received all the sanction which, up to this time, they could have received. He should first state the estimated quota of contribution of the year 1815, at 10,574,215*l.* The Interest and Sinking Fund on the present debt, 6,098,149*l.* making the total supplies 16,672,364*l.* The state of the Consolidated Fund was, balance in the Exchequer on the 5th January 1815, 1,689,252*l.*, remaining of the Irish Loan of 1814, 322,500*l.*; remaining of the Loan raised in England in 1814, 3,852,383*l.* making a total of 5,864,165*l.* But from this he had to deduct, first, the arrears of contribution for 1813, 1,794,380*l.*, the same for 1814, 3,295,300*l.* exclusive of exceedings of Army Extraordinaries applicable to 1814, and supplied this year; there were also to be deducted the principal of Outstanding Treasury Bills and Lottery Prizes 282,240*l.* and for Votes of Parliament which remained undischarged, appropriated to Inland Navigations and Public Buildings in Ireland, 57,438*l.* making the whole arrear due by the Consolidated Fund, 5,175,358*l.*; leaving a net surplus of the Consolidated Fund of Ireland on the 5th January last, of 688,807*l.*

Having thus stated the Supply, he should proceed to state the Ways and Means. He should first take the surplus of the Consolidated Fund as made out above, at - - - - - - - - £688,807

The Produce of the Revenue he should estimate at	6,100,000
The Profits on Lotteries, one half of what had been computed for Great Britain	125,000
Re-payment of Sums advanced by Ireland for Naval and Military Services	100,000
2-17ths of Old Naval Stores, 15-17ths having been taken credit for by England	90,305
Loan raised in England for the service of Ireland, 9,000,000*l.* British	9,750,000
Making a Total of Ways and Means	£16,854,112

He stated the whole of the above in Irish currency, and the committee would observe that there was an excess of Ways and Means above the Supply of 171,000*l.* He came now to the charge for the loan. It was unnecessary for him to trouble the committee with any explanation of the terms upon which the contract had been made, as they had already been stated so satisfactorily by his right hon. friend (Mr. Vansittart), and had received the sanction of the House. The charge for Interest and Sinking Fund combined, was at the rate of 7*l.* 9*s.* 2*d.* per cent. for money, being a total annual charge of 727,350*l.* The charge for the Sinking Fund being but one per cent. instead of the charge stated by the Chancellor of the Exchequer of England, for the English Loan, as under the operation of that Act, which applied the stock in the hands of the commissioners of the Sinking Fund as a provision for the year, he (Mr. Vansittart) was obliged to attach a Sinking Fund equal to one-half of the interest at which he had borrowed.—The annual charge created, he had stated at 727,350*l.*

He had now to detail to the committee the duties and taxes, which would, he hoped, be more than sufficient to cover the sum required; and it was satisfactory to think that, in the measures which Parliament had already approved, and in those which were in progress through the House, a great deal had already been or would be provided. He should take a short review of those measures of taxation which the House had already acceded to, and state, as fairly as he could, the estimated produce of each. He should be happy, in case he did not convey himself distinctly, to offer every explanation in his power to any gentleman who might do him the honour to attend to him; and it was some satisfaction to him to reflect, that in recapitulating to the House the measures which he had in this session proposed, he had not to refer to one which had either within or without doors, met with any opposition. It was some consolation that in the discharge of such a duty, his country had given him the credit of doing his best. One extensive branch of the internal duties in Ireland had been this year augmented considerably—he meant the Assessed Taxes; a great increase had taken place in the year 1813, on an average 25 per cent. on the assessment at that time, and the produce had been more than equivalent to the estimate then made. Parliament had already, in the present session, given its sanction to an Act, by which all our existing Assessed Taxes were equalized with those of Great Britain. He mentioned our existing taxes, as it would be borne in mind that we had not in Ireland the inhabited house duty, as in this part of the United Kingdom. Gentlemen might observe, in the financial accounts, the produce of a house duty; it was, however, a different impost, affecting houses of a class inferior to those which were assessed to the window and hearth tax; and the apparent diminution of its produce in the last year, was owing to an exemption which he had recommended to Parliament in favour of persons who paid a less rent than 10*l.* per annum, on whom the duty had heavily and unequally pressed. That those, however, who were not locally acquainted with Ireland might not go away with a wrong impression, he took leave to state that we had in Ireland the hearth-money tax, to which this part of the empire was not subjected. This was a part of the ancient hereditary revenue of the Crown in Ireland. In the year 1812 the Assessed Taxes had yielded 334,000*l.*; in the last year the produce was 539,000*l.*; and from the equalization which he had stated, he expected an increased produce of 180,000*l.*

The next branch of revenue to which he would advert was that of Stamps. He had introduced into that House bills both of duty and of regulation, and he confessed that he looked with sanguine anticipation to the result of both. One measure he thought it right to remind the committee would alter the apparent statement of the Stamp revenue. He alluded to the transfer which had been made in the present session of all Excise Licences which had been issued under the Stamp department, and were now placed under the exclusive management of the Commissioners of Excise. The great object of that arrangement was not only to confine the responsibility to one department, but to trust the collection of those duties (he alluded to licences) to the Excise, in whose officers the control could be more effectually vested; the apparent result would be a dimunition of the Stamp receipts, and an increase in the same proportion (he hoped, indeed, in a greater proportion) of the Excise, to which they were transferred. The committee were aware, that under some heads the existing rate of our Stamp-duty was the same as the British; and though he had not attempted to raise them all in the scale of the last schedule which had been brought forward by his right hon. friend (Mr. Vansittart), yet the augmentation, under various comprehensive heads, had been very considerable indeed. He believed that, without looking to the result of regulations under the new Acts, he might fairly take the increase from the additional duties, at 45,000*l.* If he had not gone farther, it was only from an apprehension that he might defeat the revenue, instead of add to it. Not only on that principle, but from an opinion of the impolicy of swelling the expense of legal proceedings, he had avoided any interference with law stamps; but persons who had looked into the Acts which had been lately carried through, would see, that great pains had been taken to make the checks more effectual in the offices of courts of justice than they had hitherto been. From the operation of these checks, he hoped for a very good return; and he repeated, that the increased duties alone he should estimate, at a low valuation, as productive of 45,000*l.*

When in the last year he had the honour, on an occasion like the present, to submit to Parliament those measures which he thought best to meet the public exigency, he had, as the committee would recollect, raised the Custom duties of Ireland to an equal rate with the Permanent and War duties of Great Britain united. There had been but one exemption made, and that on an article which he did not expect to be very productive—that article was silk. He had been of opinion, that in consideration of the state of the manufacture in Ireland, it would have been inexpedient at that time to have equalized the duties. In the Act that had just passed, a provision for their gradual augmentation had been made; an additional duty of 2*s.* 5*d.* per pound only would attach in the present year, being one-third of the difference between the British and Irish rates; and a duty equal to that now imposed will attach at two successive periods, namely, in 1817 and in 1820, making the whole Import-duty as it now stands in Great Britain. He hoped that this progressive arrangement would satisfy the silk merchants and manufacturers in Dublin; he had in some degree departed from the principle upon which he was aware that Parliament had wished to act—with the protection, however, which the increased countervailing duty would afford, besides the *ad valorem* duty which would still be paid in Ireland, he was confident that those concerned in that branch of trade had no right to complain. Perhaps he had dwelt longer on this topic than might be deemed necessary, but he wished to give this explanation on account of the fallacies which had been circulated in Ireland respecting it; and the committee would see that he was more anxious for the principle than unreasonable in the estimate of the produce. He had also proposed to make the Import-duty on British hops equal in amount to the internal Excise-duty in Great Britain. The duty on foreign hops is nearly equivalent to a prohibition, they not being allowed to go into consumption in Ireland, except when British hops are at a very high price. The addition this year is but three-farthings per pound; he did not expect that the additional duties on hops and silk would yield him more than 15,000*l.* He had followed the example of his right hon. friend (Mr. Vansittart) in the Act which had kept the duties on tobacco in Ireland concurrent with those in this country. The increased Custom-duty on this article he estimated at 67,500*l.*, that of Excise at 72,500*l.* This estimate he took on an average consumption of five millions and a half pounds weight, being the quantity upon which duty was paid on an average of the last three years. Six millions had been the consumption in former years, but he preferred being within limits in this statement. It will be seen (and it is no unimportant consideration), that even with the increased duty, the price to the consumer is less than it has been for the last two years, owing to the renewal of our communications with those states from which we derived our supply. He expected that the increased duty on tobacco would yield an annual revenue of 140,000*l.* The Acts which had passed for imposing an additional Malt-duty were already in operation, and he hoped that the success of that measure would not be less than resulted from the former increase which he had the honour to propose. The Malt-duty, in the year 1812, had yielded 304,000*l.*, in the year ending 5th January last, the produce had been 590,000*l.*, being 191,000*l.* above what it had been estimated to yield. In the Act of the present session, an additional duty of 4*s.* 4*d.* per barrel had been imposed, making (on a calculation of corresponding measures) the Malt-duty the same in England and Ireland, which the committee are aware exceeds the Scotch duty. He thought he might fairly estimate the produce of this tax at 150,000*l.*

The next source of supply to which he had to recur, was the distillery. The House probably would not have acquiesced, and he was sure the country would have objected to so great an augmentation of the Malt-duty, if it had not been intended to preserve that relation between the duties affecting malt and spirituous liquors, which it had hitherto been the policy of Parliament to preserve, and which, on every public principle, he was anxious to adhere to. It had been truly objected, both by the trade and by a right hon. friend of his, whom he saw opposite to him, that without a proportionate increase of the duty on spirits, this indirect tax on the breweries must operate to their discouragement, and to that consequent consumption of spirituous liquors, which he certainly should deprecate in comparison with that which was so much more salutary for the people. He was, indeed, only deterred by the fear of offering too high a premium to that worst, and unhappily too prevalent bane of his country—(he meant illicit distillation)—from imposing additional duties on spirits, far higher than those which are proportionate to the duties on malt. He should move in the committee a resolation of sixpence per gallon on all spirits distilled in Ireland, making the entire duty six shillings British per gallon. According to the present low price of grain in Ireland, that quantity may be still sold at ten shillings; and perhaps if that price were to continue, he should be the first to say that it was greatly lower than it ought to be, when we looked to the morals and the peaceful habits of the people. He believed the number of gallons annually consumed in Ireland, to be, on an average, five millions and a half, which would yield a revenue of about 140,000*l.* He would estimate, however, its yearly produce at 110,000*l.*, thereby making full allowance for any decrease in consumption by increase of price.

To his next proposition he was sure there could be no objection, not even from the trade whom it would immediately affect. The Act of last year imposed on all stills an increase of 25 per cent. on the work to which they were then subjected, thus raising to ninety charges those before liable to a monthly charge of 72. He had then proceeded on the principle of facilitating the intercourse between Great Britain and Ireland. For one of the objections to its continuance was the extent of frauds which the Irish manufacturer was said to practise, and it was not more for the interest of the Irish revenue, than the advantage of the British trade, that the charge should be increased to such an extent as would, he believed, make it impossible for any spirits to go into consumption without the payment of legal duty. The estimate of the last year, formed on similar principles, had been more than verified; he had estimated it at 300,000*l.*; its produce was in six months 398,466*l.*; and after deducting the sum of 205,466*l.* the decrease of duty on foreign spirits in the year 1814, the produce of his regulation up to the 5th January, that is, in six months, was 193,000*l.*, exceeding half a year's estimate by 43,000*l.*, and it could not be said but that he stated this most fairly. The Bill which was in progress through the House, charged on the capacity of all stills 40 per cent. on the work imposed in the year 1812, being an increase of 15 per cent. upon the accumulated charge which had taken place in the last session of Parliament. He hoped we should no longer hear it objected, that the Irish manufacturer had, under the laws which regulated his work, those facilities of fraud which it had been asserted had prevented the English capitalists from meeting him in the markets of Great Britain and Ireland. The full estimate on the former work would produce upwards of 200,000*l.* He would not state his expectations at more than 120,000*l.*

Although he had no duties of postage to propose, he had to state to the committee, that the communications which he had had with his right hon. friends near him, authorized him to expect an increase in that allowance, which, under an arrangement of 30 years standing, was made to Ireland by Great Britain, in compensation for rights waved by Ireland as to the conveyance of mails. A Packet-duty having been since imposed on letters, it was evident that Ireland was entitled to a greater equivalent than had been paid under that agreement; besides, the correspondence between the two countries had immensely increased. He had reason to believe that there would be no objection to increase the annual allowance from 4,000*l.* to 9,000*l.* He did not, however, mean to take credit for it in the Ways and Means of the year; and he rather mentioned it now on account of its having attracted the attention of the finance committee, who, in their report, had recommended the subject for consideration.

The committee perhaps would wish that he should recapitulate more distinctly the statement which he had just made. He estimated the

Duties on Tobacco, Customs, and Excise	£140,000
Malt	150,000
Assessed Taxes	180,000
Silk and Hops	15,000
Stamps	45,000
Spirit-duty	110,000
Regulations by increased charges	120,000
Making a total of	760,000

British, equal to 823,333*l.* Irish, to cover a charge of 727,350*l.*, which the Interest and Sinking Fund alone had created.

Having submitted to the Committee this detailed explanation of the Ways and Means, the right hon. gentleman alluded shortly to the produce of the revenues of the former years. The net produce in the year ending the

5th January 1812, was	£4,421,035
5th January 1813	4,975,000
5th January 1814	5,140,000
And 5th January 1815	5,627,000

being an increase of revenue in four years of 1,400,000*l.*; and he had to remark, that of the taxes of last year, only one half of the produce had been brought into this account. The diminution of the Custom-duties in the last year, he had explained on a previous occasion. It had not arisen on any of those articles upon which the increased duties had been imposed. The internal duties, namely, the Excise and Assessed Taxes, for which he might be deemed in some degree responsible, (the produce depending so much on their management and collection), had never been so productive as last year—the sum of nearly 900,000*l.* having been paid into the Exchequer above the payment of the foregoing year. Since the Union, the increase of the revenues in Ireland had been 41,633,000*l.*; the total produce having been in the fourteen years to 1801, 28,612,000*l.*; in fourteen years, to 1815, 70,245,000*l.*

He had intended to have submitted to the Committee of Supply on the last day on which it had sat, a vote for the promotion of the education of the poor of Ireland—but the Report had not been printed, and it would have been irregular to have done so. He should, to-night, when the House was in a committee of supply, bring the subject forward: it was one of the deepest interest to every man who had looked at the state of the population in that country, who had witnessed the eagerness with which they panted after instruction, and the sacrifices which the poor peasant often made to acquire it. If, indeed, you would offer a boon to the peasant, and confer a benefit on the country, give the means of education. The Petition which he had the honour to present was for aid towards the erection of a Model School in Dublin, and for the instruction of masters, who were afterwards to be employed, generally, under the orders of the Association. They were an association consisting of persons of all religious persuasions. He conceived it was only under such auspices the great object of instructing a numerous population could be accomplished; and he had little doubt, that when he proposed the vote, he should find gentlemen ready to concur with him—nor was there any subject which he was more anxious to recommend to Parliament.

In reviewing those subjects which had occupied the attention of Parliament during the present session, there were many which he could have dwelt upon with pleasure, if he did not feel that he had already occupied so much of the time of the Committee: there was one, however, which he could not pass over in silence, and which reflected as much honour on Parliament, as it would be attended with general benefit to the empire—he alluded to those laws which had passed for the protection of our domestic agriculture, and which, by making us independent of foreign nations, insured to the great population of this country, a regular and certain supply of the first necessary of life: while, if there was one part of the United Kingdom which derived more peculiar benefit than another, it was that whose resources had grown with the improvement of her agriculture, whose wealth had increased so rapidly since the free intercourse in corn had been extended to her, and from having been herself an importing country, had risen so greatly, and improved so much those advantages which the bounty of nature had conferred on her and on her people. She contributed most essentially to the sustenance of England, at a time when foreign Powers, except when impelled by their own necessities, withheld their aid. England had, upon this question, acted on sound principles of justice; and Ireland ought to feel grateful for the course that had been taken, and for that universal manifestation of confidence and affection which had marked those discussions in both branches of the Legislature, and he would venture to say, in almost every publication which had issued from the press.

In other points, he hoped that the improvements of Ireland were still progressive. Within the last week those grants for the extension of our inland navigation, which he had originally had the honour to propose to Parliament, had been voted; and he had the satisfaction to think, that the great objects which Parliament had in view, were many of them nearly accomplished. The completion of one great line of navigation, which united the eastern and western parts of the island, was itself worthy of the great efforts which had been made to effect it. The attention of Parliament would, he hoped, continue to be directed to those great views of our national improvement. The inland navigation of Ireland had been one of the favourite objects of the Irish Parliament: it had been bequeathed to the care and protection of Britain as one of its last acts; and he should always, in whatever character he stood there, press upon the House of Commons that there was no improvement which took place in Ireland, that would not be beneficial to England as well as to her—[Hear, hear!]. On other subjects the usual liberality of Parliament has been shown. The great harbour of Howth advances towards its completion. Works of a similar nature (though less in extent) are proceeding in the southern part of the kingdom, to facilitate the communication between the two islands; and he hoped that the progress of those improvements, which were meditated on the south of the bay of Dublin, would prove to the people of that metropolis, that their wishes had been met by an anxious concurrence both of the Executive Government and of Parliament. He might hope that that station might add not a little to the commercial prosperity of the second city of the empire. But if, on that dangerous coast—if, in the night of tempest, it were the means of saving human life, those who promoted its establishment, would find themselves more than repaid [Hear, hear!]. There were two other points of great moment relative to Ireland, which, during the present session of Parliament, had arrested the attention of the House. The first of these was the inquiry directed to be made by a committee, as to those powers of the grand juries of Ireland, under which money was presented and levied for the public works. He expressed himself strongly in favour of the principle on which those powers were founded; and stated his conviction, that by a judicious alteration of the system, the best effects would be produced. The right hon. gentleman proceeded to say, that he did not regret so much as he had formerly, that the constant occupation of his public duties had prevented him from bringing those laws under the revision of the House, since the inquiry which had taken place had produced evidence not only of the benefit which had arisen to the country, but had pointed out the best means of correcting the evils which unhappily had been proved to exist. The benefit had, even under all the mal-administration, been greater than any country had in the same time ever received.—He trusted that the committee would redeem the pledge they had given. Hardly any subject of greater import to the resident gentry and to the tenantry of Ireland could call for attention, and he professed the willingness and the pleasure with which he should contribute any humble efforts of his to amend the grand-jury laws, and to preserve their principle, though he should reform their practice: and he was sensible of the confidence which so many of his countrymen had reposed in him in asking him to undertake the task—[Hear, hear!]. The second point, of still greater importance, in his opinion, was the inquiry of the committee on the Finance and Expenditure of Ireland. The committee was originally appointed in 1811; their attention had been attracted to the interpretation of that part of the seventh article of the Act of Union, which refers to the joint contribution of Great Britain and Ireland, and the consolidation of the debts and exchequers of both countries. The committee were aware that the competence of Parliament to declare this consolidation, would arise upon certain proportions taking place between the respective debts. A calculation of the value of those debts was made in 1811 and 1812, and it was found at those periods to have nearly approached the proportions regulated by the Act of Union; but none of the reports from those committees had been acted upon. The committee was revived in consequence of a motion made by him (Mr. Fitzgerald), and the report of the committee would in a few days be in the hands of members. He had the permission of his hon. friend (Mr. Giddy) the chairman, whose industry every man appreciated highly, and of whose labours he should be anxious to avail himself, to refer to the copy of his report. Though the committee were aware that a literal and strict interpretation of that article was not unattended with difficulty, since that period had elapsed, when the respective national debts were in the proportions described, they had yet reported their opinion, that the competence of Parliament had not passed away from it; and they earnestly recommended the consolidation of the debts, and Exchequers of Great Britain and Ireland, subject to such regulations, under the terms of the seventh article of Union, as the Legislature might think it proper to make. He agreed perfectly in this recommendation, since the principle on which the project of consolidation was founded, was to relieve Ireland from a scale of contribution which her means were inadequate to defray, and from the charge of a debt, greater in proportion than she ought to bear. And construing the article with reference to what must have been in the contemplation of both Parliaments, it was evident from the spirit and context of the Act of Union, that it was intended to afford protection to that country, which might be supposed least adequate to its own defence. If they went on with separate exchequers, and an expenditure such as that which had taken place since the Union, he knew not how it was to be met without violating that most vital enactment of the Union which was meant for their protection, and which declares, "that no article in Ireland should be made liable to any new or additional duty, by which the whole amount of duty payable thereon should exceed the amount payable in England on the like article."

In that part of the report in which the committee had examined the various branches of Irish taxation, and the general produce of Irish revenue, they had done justice to the financial exertion which Ireland had made in late years. The permanent revenues of Great Britain, it appeared, had increased from the year 1801, when the accounts of both countries were first made to correspond in the proportion of sixteen and a half to ten, and the whole revenue of Great Britain, including war taxes in the proportion of twenty-one to ten; while the revenues of Ireland were increased in the same period in the proportion of twenty-three to ten. But in the twenty-four years into which the commitee of finance were, by the instruction of the House, directed to inquire, the increase of the Irish revenue had been remarkable, being in the proportion of forty-six to ten.

The right hon. gentleman concluded his speech in the following words:—In calling, Sir, the attention of this committee, and through them of Parliament, to the subject of this report, I am, perhaps, performing the last duty of my present official character; but I can never perform one more important, or on which I feel more earnestly. I regard the act which the report of your finance committee so strongly recommends, as the consummation of that great compact which is the basis of our power and our fame—I regard it as it affects both countries, as a measure of indulgence to Ireland, and of justice to Great Britain and Ireland both. I do not fear that Parliament will ever declare the competency of Ireland to bear the entire weight of that taxation which the wealth and resources of England enable her to support, without reference to those considerations upon which alone Ireland should be exempted from those burthens which are laid on all other subjects of the United Kingdom. The power of that exemption is specially reserved to Parliament by the Act of Union. I have thought it my duty, Sir, not to leave this subject untouched, nor could I withhold these observations in adverting to it. One of the first results, said the right hon. gentleman, which will probably flow from this arrangement, will be to place at the head of the financial administration of Ireland, my right hon. friend (Mr. Vansittart.) He will bring to it, I am conscious, talents far beyond what I could ever pretend to, and information greater than I shall ever acquire. But I humbly venture to say, he will not bring to it greater zeal in the public service, or more anxiety than I have felt to discharge my duty equally to my country and the Crown. I shall be accused, perhaps, justly, of presumption, if I attempt to express on this occasion, all that I feel; but I had rather appear presumptuous, than ungrateful. I am deeply sensible of the indulgence which the House have at all times shown me; and I hope, Sir, that the favour which has been shown me by the committee this night, I have not too much abused.—[Hear, hear!] But I feel more deeply still the support that it has been my good fortune to meet with from the Irish public, and the liberality with which they have received those measures which it has been more than once my painful duty to adopt. I hope my right hon. friend may receive the same support: I am convinced he will receive it—he will deserve it, Sir, infinitely more; but at all events, he may expect it from the generosity of the people of Ireland, from that fairness which always interprets justly fair intentions—[hear, hear!] and above all from that public spirit, which far more than legislative acts can do, has strengthened our connexion with Britain—[hear, hear!]—that spirit which has cemented the compact that unites us, and which I trust will preserve it for ever.—[Repeated cheers from all sides of the House.]—The right hon. gentleman then moved his first resolution.

Sir *J. Newport* complimented his right hon. friend on the ability which he had just displayed. He begged, however, to be permitted to make a few observations on the subject. With respect to the bulk of the taxes, they had already been discussed, and had received the sanction of Parliament. It was to be lamented that any increase in the duty on spirits would, under the present circumstances, be inevitably productive of that which was the bane of Irish prosperity—illicit distillation. Every thing calculated to put down so great an evil, ought to receive their active and decided support. He trusted that Parliament, therefore, would never again sanction a remission of the penalties on illicit distillation. It was a monstrous thing to see, that in the very districts where the remission had been granted to the greatest extent, the offence had again been extensively committed. This was particularly the case in the counties of Donnegal and Cavan. In the county of Cavan penalties to the amount of 28,000*l.* had been remitted; nevertheless penalties to an enormous amount had been again incurred, as if it were attempted to make the magnitude of the offence screen the offender from punishment. With respect to the increase of the assessed taxes, he had already expressed his opinion that it would not be productive of much increase of revenue, from the deficiency of the mode in which the revenue was collected; for, great as had been his right hon. friend's efforts on this subject, very much remained yet to be done. The grant which it was the intention of his right hon. friend to propose for the more general education of the poor in Ireland, should have his most hearty concurrence; for from their moral improvement, the greatest national, as well as individual benefit, must result. The consolidation of the finances of the two countries would also, he was convinced, be productive of the greatest advantages to Ireland. He had never sat in the Irish Parliament; but out of doors he had been a sincere friend to the Union, on the principle that the great sacrifices made by Ireland in that measure would eventually be more than compensated by the great benefits which it would confer on her. At the period of the Union, the long course of calamitous events which had demanded the utmost exertions of the United Empire was not anticipated. Those events had brought on Ireland a burthen greater than she was able to bear; and which he repeated was not in contemplation in the first instance. So great had been the exertions of Ireland in consequence, that while her debt had greatly increased, her means of meeting the supplies had increased also. Let the committee compare the revenue raised in Scotland and the revenue raised in Ireland since the Union. In that period (during the last 14 years) Scotland had raised a gross revenue of 55,722,000*l.*, and Ireland 70,240,000*l.*; being an excess of taxation in Ireland beyond Scotland of 14,000,000*l.*, or 1,000,000*l.* on the average in every year. If it were asked why greater efforts had not been made by Ireland to keep down her debt, he would answer, that at the time of the Union, Ireland had but just emerged from circumstances which utterly incapacitated her for vigorous exertions—circumstances originating in the rebellion which had recently raged in that country. But had she therefore been deficient in the exertions which it was in her power to make? By no means. It was to guard her from this cruel imputation that he felt warranted in concurring in the proposition of equalizing the taxes, under proper qualifications, and with the reservations which were consonant to the spirit of the Articles of Union. At the same time he was glad to find that all his right hon. friend intended to do on the subject in the present session, was to propose a resolution upon it, to be discussed at a future period, after all the deliberation which a question of such magnitude and importance demanded.

Mr. *Stewart* defended the land-owners of the county of Donnegal from the imputation of conniving at the increase of illicit distillation. He had resided in that county twenty years, and had used the utmost exertions to suppress a practice so destructive of the morals and prosperity of the people. Were there a greater number of resident gentry in the county, the effect produced would be much greater; but those who resided there at present could not be expected wholly to put down that which the revenue officers and the military could not sufficiently restrain.

Sir *J. Newport*, in explanation, denied having said a single word in inculpation of the land-owners of the county of Donnegal.

Mr. *Peel* observed, that after the luminous exposition which had been made by his right hon. friend, it would be quite unnecessary for him to intrude upon the committee at any length on the question before them. There was one point, however, on which he begged to be allowed to make a few observations. No man could be more sensible than himself of the advantages that would result to Ireland from the general diffusion of education. In making that statement he wished to be understood, that the benefit ought to be restricted to no particular sect—no distinction whatever ought to be observed. He was confident that it was the only measure to which Parliament could look for the introduction of habits of industry and morality among the lower orders in Ireland; and when they considered the avidity which, to their infinite credit, was shown by the lower orders of the population of Ireland to avail themselves of any means of instruction that were afforded them, it would be a reflection on Parliament, if by any ill-judged and miserable parsimony such means were withheld. It had been his misfortune, in the discharge of his official duty, to be compelled to introduce into that House measures of a temporary nature to remedy existing evils in Ireland. But in doing so he was satisfied that those measures must of necessity be temporary, and that they could weigh nothing in the scale compared with the duration and effect of measures of a more general nature. After adverting to the previous reports of the commissioners appointed to inquire into the existing abuses in Ireland, and to the legislative measures that had been founded on them, he remarked, that the last report of those commissioners suggested a general plan for educating the poor in that country. The reason which had induced him to forbear from introducing that plan to Parliament in the shape of a Bill, was, not any insensibility to the advantage of general education, but an apprehension that the plan of education advised by the commissioners would not be advantageous. The report recommended that the Lord-lieutenant should appoint commissioners for the superintendance of the education. Now, he was afraid that this direct interference of Executive Government would tend to excite jealousies that would counteract the benefits that might otherwise be expected from the measure. After due deliberation, therefore, he felt himself fully warranted in forbearing to introduce to Parliament the system recommended by the commissioners. He conceived, however, that the vote which his right hon. friend meant to propose, would by no means involve the evils which he had just described. He was convinced, and he avowed it without hesitation or reserve, that the only rational plan of education in Ireland, was one which should be extended impartially to children of all religious persuasions—one which did not profess to make converts—one which, while it imparted general religious instruction, left those who were its objects to obtain their particular religious discipline elsewhere—[Hear, hear!]. On this subject it was unnecessary for him to dilate. The days were passed when there existed a prejudice against the general education of the poor. Conclusive proofs had been afforded that the manner, character, and habits of a people were improved precisely in proportion to the diffusion of knowledge among them, by a rational education. One argument which had been urged against this liberal system in Ireland, appeared to him to prove directly the reverse of that which it was intended to establish. It had been said, that in times of public agitation in that country the schoolmasters had, by their influence among the lower orders, materially contributed to the evils of those times. But to what was that influence to be ascribed, but to their greater information? If the lower orders, instead of being kept in extreme ignorance, were allowed the means of obtaining information, they would not so easily be operated upon and misled. To the slow and gradual progress of reform among the people of Ireland, Parliament must look for a durable improvement in their character; and he could not conceive a more certain mode of effecting this most important object, than by adopting a judicious plan of general education.

Sir *H. Parnell* expressed his high satisfaction at the able, liberal, and useful speech which had just been made by the right hon. gentleman. He trusted with him, that the operation of the great and broad principle of educating the lower orders in Ireland would not be checked by any ill-advised and niggardly economy. He particularly recommended the example of Scotland in the construction of school-houses, and said, that, in his opinion, so trifling a rate as a penny an acre would, in a very few years, afford the means of providing sufficient buildings for carrying the proposed plan into full effect.

The *Chancellor of the Exchequer* congratulated Parliament and the country, on the manly, vigorous, and judicious manner, in which his right hon. friend had fulfilled the duties of his arduous office. He hoped that there yet remained for him many years of important, though laborious public service. His right hon. friend having succeeded to the task which had been thought too difficult by the able hands which resigned it, had in two years increased the revenue of Ireland two millions a year; thus adding 50 per cent. to that which had been supposed to be exhausted. The right hon. baronet had adverted to the rapid increase of Irish debt. It was a consolation, however, that Irish revenue advanced with a still quicker pace. The Sinking Fund of Ireland was now double what the Sinking Fund of Great Britain was at the commencement of the war of the French Revolution; while the debt of Ireland (great as it was) was not half so great as the debt of Great Britain was at that period. There was no cause, therefore, for apprehending that the consolidation of the resources of the two countries, under proper regulations, would subject either to the risk of bankruptcy. To proceed to such a consolidation was most desirable, and he was persuaded that Parliament would deliberate upon it in that temper with which all subjects of great national importance ought to be treated.

Lord *Castlereagh* said, he had heard with great satisfaction his right hon. friend declare his intention of proposing to Parliament a vote by which they should be pledged to take into consideration next session, a measure that seemed to him to be pregnant with beneficial consequences to the empire. When he proposed the union in Ireland, he did it in the hope that it would mitigate, rather than aggravate the expenses of that country. It was impossible for him or any one else to see the calamities which the British empire, in common with the rest of the world, had endured by the progress of the war; attended as it had been by an accumulating necessity for exertion. By those circumstances a greater burthen had been thrown on Ireland than she could have borne had she remained in a separate state. This he deeply lamented. He would not prejudge the question; but he was persuaded when it came to be sifted, it would be found practicable, with perfect justice to both parties, to create that community of treasury and taxation which it was impossible to effect at the time of the Union. He bestowed a high eulogium on the conduct of his right hon. friend, who, during his continuance in office, had made such solid provision for the public service, that every tax which he had proposed had much exceeded in its produce the estimate which he had previously made of it. It would be an additional honour to his right hon. friend to confer on the empire the benefit of bringing the countries into one common system of finance. With respect to the plan of educating the lower orders, no man who knew the energies of the Irish mind, and the eagerness with which the peasantry, parents, and children, sought the means of obtaining information, rather than the means of obtaining wealth, but must anticipate from it the happiest effects. The committee might rely upon it that the powers of that country were almost infinite, and that in proportion to their cultivation, they would fructify to the general advantage.

Mr. *J. Smith* heard with great satisfaction of the extension of education to Ireland, and recommended that it should not be confined to any religion.

Mr. *Peel* stated, as a proof of the impartial diffusion of education to all sects in Ireland, that when Dr. Bell repaired to that country a short time since, and the children were examined before him to show their progress in reading, some of them refused to read in any other Testament than their own, and the schoolmasters stated, that they never checked this independence, and never interfered with the sentiments and persuasion of their scholars.

The Resolutions were agreed to, and the Report ordered to be received on Monday.

Stamps for the Bank of England.] Mr. *Grenfell* wished to ask the right hon. gentleman opposite, whether, in the late bargain with the Bank, any and what regulation had been made relative to the sum which was to be paid in lieu of stamp-duties on their notes?

The *Chancellor of the Exchequer* replied, that an agreement had been made, which he would take an early opportunity of submitting to Parliament. A regular weekly return of the issue of Bank paper was to be made to the Treasury, a calculation was to be made from this amount, and the Bank was to pay to the public the sum of 3,500*l.* for every 1,000,000*l.* sterling of their issue, in lieu of stamp-duties. It was intended to alter this arrangement whenever a resumption of cash payments took place, and to strike an average from the issue of the three preceding years.

HOUSE OF LORDS.

Monday, June 19.

Offices in Reversion Bill.] Earl *Grosvenor* moved the second reading of the Offices in Reversion Bill. After what had been already said upon this subject, he did not feel it necessary to detain the House by any remarks, unless some noble lord should think fit to make any observations in opposition to it. After the grant of Places in Reversion had by Act of Parliament been suspended for eight years, they must be considered as virtually abolished. This Bill, therefore, was only to be viewed as a measure carrying into effect the determination of the Legislature.

The question was then put from the woolsack, that the Bill be read a second time, which was negatived without a division. Lord Ellenborough then moved, that the Bill be rejected; and, after a single remark from lord Grosvenor, a division took place. The numbers were, For the rejection, 27; Against it, 7. The Bill was rejected accordingly.

HOUSE OF COMMONS.

Monday, June 19.

Master of the Rolls in Ireland.] On the motion that the Report of the Master of the Rolls in Ireland Salary Bill be brought up,

Mr. *Horner* urged again his objections against this measure. He observed, that even if the Master of the Rolls in Ireland was an officer equal in dignity to the same officer in England, the difference between the places of residence, the one the capital, the other a provincial town, would justify the present difference of salaries. The same reason which was adduced in favour of the present Bill, would justify a similar increase of salary to the judges in Scotland. He should therefore move that the Report be received that day three months.

Mr. *Rose* observed, that in this country the Master of the Rolls was underpaid, as he had refused an increase of salary which had been offered him.

Mr. *Abercrombie* opposed the Bill. The return to the House of the business done by the Master of the Rolls in Ireland, was such that no criterion could be formed of the real extent and laboriousness of it. In Ireland there had been no arrear of consequence in the Equity Courts. The business in Ireland, he thought, stood in no need of assistance from Parliament. The Master of the Rolls in England was underpaid, if his salary was compared with the extent of business done by him, and with the great talents which he possessed; but this excellent judge had himself determined that the salary of his office did not need increase.

Mr. *M. A. Taylor* said, that the office of the Master of the Rolls in Ireland, was executed in perfection; but on the death of the present Master of the Rolls, it would be necessary to fill his office with some person of eminence at the bar, to whom the present salary was not a sufficient remuneration. It would not be worth while to have the office ill filled, for the sake of a few hundreds a year.

Mr. *Peel* said, that the House had acted upon the principle of equalizing the salaries of the judges in both countries, and the Master of the Rolls was the only judicial officer who had received no increase since 1801. The retiring pension of the Master of the Rolls was now less than the puisne judges, and his salary not more than 150*l.* above those judges. Since the appointment of the present officer, in 1814, there had been 2,206 debated orders. The Bill would not, he said, equalize the salaries of the Masters of the Rolls in England and in Ireland. The Master of the Rolls in England had 4,500*l.* per annum, and an official residence; but that officer in Ireland would have less than 4,000*l.* per annum in British currency. The conclusion of the want of business from the absence of arrears was fallacious.

Sir F. Flood supported the Bill. Sir S. Romilly said a few words against it. After which, the House divided: For the bringing up the Report, 58: Against it, 24;—Majority, 34. The Report was accordingly brought up, and agreed to.

List of the Minority.

Abercrombie, hon. J.
Bankes, Henry
Bennet, hon. H. G.
Bernard, Viscount
Cavendish, Lord G.
Calvert, N.
Duncannon, Visc.
Finlay, Kirkman
Frank, Admiral
Gordon, R.
Lascelles, Lord
Moore, Peter
Martin, John
Martin, Henry
North, Dudley
Onslow, A.
Powlett, hon. W. V.
Parnell, Sir H.
Ridley, Sir M. W.
Romilly, Sir. S.
Smith, Robert
Smith, W.
Wynn, Charles
Western, C. C.

TELLERS.

Francis Horner.
Lord A. Hamilton.

PETITION OF CHARLES HILL.] Mr. Bennet presented a Petition from Charles Hill, a prisoner for debt in the gaol of Ilchester, complaining of various hardships in the mode of his confinement. The hon. gentleman moved that the Petition should lie on the table.

Sir *S. Romilly* said, it was very desirable that some inquiry should be made into the case. The facts, as stated in the Petition, were, that the prisoner, 68 years old, had been confined for debt in the felons' condemned cell, and that all his letters had been opened. Perhaps the members for the county of Somerset knew nothing of the matter, but it would be desirable that they should state as much.

Mr. *Dickenson* observed, that he could almost venture to say, that the petitioner had never been confined in the gaol in question, as the utmost vigilance was exercised to prevent the abuse of solitary confinement.

Mr. *Horner* said, that from his knowledge of a Somersetshire magistrate, who was remarkably active in his endeavours to inquire into the conduct of the gaol of Ilchester, he was disposed to believe that that prison was well attended to. But yet this circumstance furnished no reason against the institution of an inquiry upon the subject of the Petition; for the vigilance of the worthy magistrate, to whom he referred, might have been evaded.

Mr. *Bennet* said, he presented the Petition, because he felt it his duty to do so; but he could not vouch for the accuracy of the statement it contained.

After a few further remarks by sir S. Romilly, Mr. Whitbread, Mr. W. Smith, and Mr. Dickenson, all of whom strongly recommended inquiry into the circumstances stated in the Petition, it was ordered to lie on the table.

REPORT ON THE PUBLIC INCOME AND EXPENDITURE OF IRELAND.] Mr. Davies Giddy reported from the Select Committee, to whom the several Reports from the Committees on the Public Income and Expenditure of Ireland, and the several Accounts and Papers presented to the House in 1813, 1814, and 1815, relating to the Public Income and Expenditure of Ireland, were referred; and who were directed to inquire and report to the House what has been, during the last 24 years ended the 5th Jan. 1815, the increase and redemption of the Public Funded Debt of Ireland, and what was the state and amount thereof on the said day, what has been the progress of the permanent revenue of Ireland during the same period, and what may be the expected future annual produce of the taxes now existing in that country; what has been the total expenditure of Ireland in each year of the same period, distinguishing the amount expended on account of the joint expenditure of Great Britain and Ireland, or which may appear to be still due on that account, and what was the amount of the unfunded debt and demands outstanding and unprovided for in Ireland on the 5th January 1815; and likewise to take into their consideration the accounts relating to the trade and navigation of Ireland during the same period; and to report the same to the House, together with their observations upon the whole matters referred to them; and who were empowered to report their opinion thereupon to the House; that they had examined the various matters submittted to their consideration; and had directed him to make a report thereof to the House, with a resolution thereupon, and an Appendix; and the Report was read, and the Resolution of the Committee is as followeth:

Resolved, "That it is the opinion of this Committee, That it is now become expedient that Parliament should take into consideration so much of the seventh Article of the Act of Union as respects the competence of Parliament, under certain circumstances therein stated, to declare that all future expenditure of the United Kingdom, together with all interest and charges of the joint debt incurred previous to such declaration, shall be defrayed indiscriminately by equal taxation imposed on the same articles in each, subject to such particular exemptions or abatements in Ireland, and that part of Great Britain called Scotland, as circumstances may appear from time to time to demand."

The Report was ordered to lie on the table, and be printed.

HOUSE OF LORDS.

Tuesday, June 20.

EAST INDIA SHIPS REGISTRY BILL.] The Earl of Buckinghamshire having moved the committal of the East India Ships Registry Bill, the Petition of the London Ship-builders against the Bill was read, and counsel were called in. Mr. Harrison appeared for the petitioners. Mr. Spankie, and Mr. Grant, also appeared in favour of the Bill; but no petition on that side having been presented, they could not be heard.

Mr. *Harrison,* for the petitioners, contended, that the admission of ships built in India to British registry would be mischievous to the public, and ruinous to the petitioners. The great principle of the Navigation laws was to encourage the belligerent navy of the country, and this could not be done without encouraging the ship-builders of Great Britain, and especially those of London, who alone were capable of affording adequate assistance to the navy upon emergencies, when the requisite number of ships could not be built in the King's yards. If the India-built ships were admitted to British registry, the whole India trade would soon be carried on in India-built ships, and the London ship-builders would be almost ruined. If the ship-building were transferred to India, the manufactures depending upon it would also be removed from this country, such as the manufactures of sails, cordage, iron, copper, &c. for all which, India, or countries in the neighbourhood, possessed the raw material, and, therefore, the builders there would not come to this country for these articles. The apprehensions of a scarcity of timber owing to the demands of the merchant yards were, he said, unfounded, as the timber in several counties had not been touched for the supply of the navy. A similar apprehension was entertained in 1792, but never realized. As for the trade from India, it might very well be carried on by British ships; and even if it were thought that India ought to have the advantage of exporting in their own ships, the reason did not apply to the China trade. In the case of an independent power, it was necessary or reasonable that the subjects of that power should be allowed to bring their own produce to this country in their own ships, and a duty might be imposed to prevent any injury from this to the British shipping interest: but the object now was to admit India-built ships on the same terms as British-built ships. At a time when a new naval power was rising up, and when there might be so great a demand of ships for the navy beyond what the King's yards could supply, it must be contrary to the soundest public policy to ruin the ship-building establishments of the Thames.

The counsel having been ordered to withdraw,

The Earl of *Donoughmore* said, he had heard nothing that could justify the House in proceeding any further with the measure. It was taken up not on public grounds, but with a view to create partial advantages to a particular class, at the expense of the East India ship-builders. He thought an adjournment of the question was necessary, in order to give time for a full consideration of the subject, which he conceived should be permitted to lie over for that purpose.

The Earl of *Buckinghamshire* said, that if the noble earl had not risen with such precipitation, he was about to have made a short statement to their lordships on the subject, which he hoped would prove satisfactory. The learned counsel had avoided any very direct allusion to the law as it stood, and for a very good reason, which was this,—that when the law as it stood was stated, it would necessarily appear that the petitioners not only had no reason to complain, but that this Bill was favourable to their interests. Under the Act of the 26th of the King, India ships were admitted to British registry; and had been so admitted for thirty years. Such was the actual state of the law: but, from reasons of policy, it had been thought proper to confine India-built ships to the trade between India and this country; so that the Bill was rather a bill of restriction upon the building of ships in India, which must be so far favourable to the British ship-building interest. Then, with respect to the scarcity of timber, the evidence taken in the other House, and laid on their lordships table, was contradictory; but it appeared that the proportion of foreign timber procured for the navy had been increasing of late, which showed a falling-off in the home supply. The proportion of foreign timber had been, not long ago, one-half: but it had since increased to two-thirds. Then, as to the India trade, his lordship quoted the authority of a commissioner of the navy, and others, to show that unless the India trade was permitted to be carried on with this country in India-built ships, that trade would be in a great measure engrossed by foreigners: so that the British ship-builders would not be injured by this measure, but rather benefitted in that view of the subject. They would also have the repairs of the India-built ships here, which otherwise they would be deprived of. As for the sails, cordage, &c. it was provided by law that these articles should be, in a great measure, supplied from this country. Upon the whole this was a measure of great advantage in a public view; and it would not be injurious, but the contrary, to the ship-building interests of Great Britain, though he admitted that it might prove disadvantageous to the Thames ship-builders. But it would not be disadvantageous even to them in the degree which they held out; and at any rate the interests of individuals must sometimes give way to those of the public. It was a great object for the East India Company to have this Bill passed; for then a competition would be created, and they might choose where to purchase their ships, instead of being confined to the Thames ship-builders, who had been enabled to make their own terms.

Earl *Stanhope* said, that the noble earl who spoke last had laid great stress on the law as it stood; but in considering a question of this magnitude, they ought not merely to take into view the law as it stood, but the law as it ought to be. The noble earl seemed to hint that his noble friend had not read the evidence; but his noble friend, he believed, might give the answer, which was returned on a certain occasion by a French *curé* to an ignorant bishop who could not read. "Have you read my charge?" said the bishop; "No," replied the *curé*, "and I doubt whether you have read it yourself." It appeared doubtful whether the noble earl himself had read the evidence; but if he had read it, it was quite clear he had it not at his fingers' ends. Then the noble earl talked of the scarcity of timber: but if you reduced the demand for timber, the supply must fail in proportion; and besides, there was a new method invented for seasoning oak so as to make it last much longer, though the Admiralty had not paid the attention to it which it deserved. The noble earl said nothing about teak wood, but it had been said that it was the most durable of all timber. The noble earl had, however, said that the Thames ship-builders would have the repair of these teak ships, and so they might console themselves by the chance of having the repair of ships which required no repair. Then the noble earl adverted to the India trade, and read authorities to show how advantageous the measure would be in that view. But who were these authorities? Persons connected with India. Rare authorities! Did you ever hear a fishmonger call out stinking fish? that was not to be expected. But their lordships ought also to consider, that it was possible that India might be separated from this country; and where, then, was the soundness of that policy which went to transfer our naval establishments to that country? Our laws, our religion, our existence as a nation, depended on our navy; and it ought to be a matter of paramount policy to confine our ship-building establishments as much as possible to this country. Before the first American war, no one would have believed in a separation. The same language, the same habits, laws, religion, &c. bound us together, and yet the separation took place; and we ought not therefore to reckon too securely on India. The policy was altogether monstrous. Show me such politicians, said his lordship, and I will show you the description of statesmen mentioned by Dr. Franklin—those who have found out the secret to make of a great state a very small one.

The Earl of *Donoughmore* said, he wanted to hear something in justification of the Bill before their lordships. His opinion was not merely that the Bill ought not to be permitted to go any farther, but that it had already gone too far. Not one argument, not one word of the noble lord's speech went to justify the measure. He had stated nothing to show in what way, or upon what principle, the restraint which it imposed could be useful. The proceeding, he did not hesitate to say, was new; and being so, was at least entitled to a single argument, or a short explanation. The Bill went to restrain a right which was not only exercised at present, but had existed for the space of 30 years. Between the year 1794 and the present time, 283 ships were built in India and registered. The Bill went to abridge that right. Would it be wrong to require time to read over the evidence, and enable ministers to do the same? The noble earl, in particular, ought to be fully aware of the evidence in support of his own case; yet not a word on that subject had escaped him. He thought that India should be permitted to remain as it was in point of shipping. All they wanted was, to be left as they were before; and yet his Majesty's ministers conceived themselves justified in withholding every information on a Bill of two years standing in the other House of Parliament. The authority of a noble person, well acquainted with East India affairs (the marquis Wellesley), had been quoted. He respected that authority much; but there was also another to which no allusion had been made, and whose weight could not be inconsiderable. He alluded to a speech that was spoken by the late lord Melville in the year 1801, in which that nobleman expressed a hope that he would live to see the day when India-built ships would be admitted into the ports of Great Britain, not only as merchant vessels, but as ships of war. He did not conceive why that right should be taken from them. It seemed to be taken for granted that some restriction should be applied—why? no reason was assigned. And was this a season to refuse considering such important topics? Ought they not to observe the decency of some appearance of deliberation? The Indian empire had stood well and firmly, and he hoped would long stand so, under the regulations that had existed for 30 years. Some further delay would enable him to understand the subject better himself, and would afford the noble earl an opportunity of reviving his recollection and increasing his knowledge. His lordship concluded with moving, That the debate be adjourned.

The Earl of *Buckinghamshire* assured the noble lord and the House, that he had read every word of the evidence, nine-tenths of which did not apply to the question. At the time of the renewal of the East India Company's Charter, it was deemed necessary to introduce a clause to the same effect as the present Bill. Some misrepresentations, however, having gone abroad, and persons being desirous to be heard in evidence at the bar, time was given to produce them. It was afterwards determined that the clause should be taken out of the Bill, and made the subject of a distinct measure. A temporary enactment was then passed for the year, and the permanent one postponed to the present session. The misrepresentations had now abated, and the persons who before complained regarded it rather as a relief than an injury. If the ship-builders of India were themselves satisfied with the Bill, the naval defence of this country was of such importance as to render the restraint imposed on them a useful policy.

The question was put on the adjournment, and negatived without a division. The House then went into a committee on the Bill.

Lord *Torrington* objected to the large proportion of Lascars beyond British seamen, as dangerous to the commercial and naval interests of the country, and proposed a clause for excluding East India ships not built and registered in this kingdom from the privileges of British-built ships.

The Earl of *Buckinghamshire* said, he

should oppose the clause, on the ground he had stated before.

The Earl of *Donoughmore* said, that the Bill was intended to gratify the Thames ship-builders; yet, while it injured those of India, it did not satisfy these at home. The argument of counsel went to drive out India-built ships altogether. He saw no reason why we should embark in bad bottoms because they were our own, when we could get better from one of our own dependencies. According to that Bill the whole crew might be Lascars, on a certificate from the officers on the station. They were fonder of British ships than of British hands, and in that respect had abandoned the principle of the Navigation Act. He did not want the Bill amended, for he hoped it would not last long; and though the noble earl had read the evidence, it was desirable that when he next came forward, he should be better prepared to defend his own measure against a system which was sanctioned by the experience of thirty years.

The Earl of *Liverpool* maintained that the provisions of the Bill gave general satisfaction to the shipping interests. India was not under colonial restrictions, and the same principle did not apply to her as to the other colonies. A noble earl had supposed the case that India was independent; but even in that case India-built ships would be admitted on the principle of the Navigation Laws.

The clause was negatived, and the report received without any amendment.

HOUSE OF COMMONS.

Tuesday, June 20.

REPORT ON WRITS OF HABEAS CORPUS AD SUBJICIENDUM.] Mr. Serjeant Onslow brought up the following Report:

REPORT FROM THE SELECT COMMITTEE ON WRITS OF HABEAS CORPUS AD SUBJICIENDUM.

The COMMITTEE appointed to consider of the State of the Law, respecting the Writ of Habeas Corpus ad Subjiciendum, and to report their opinion thereon to the House; and who were empowered to report the Minutes of the Evidence taken before them:—Have, pursuant to the order of the House, considered the matter to them referred; and agreed upon the following Report:

Your Committee have proceeded to examine officers of the several Courts in Westminster-hall, and have called for divers returns relative to the matter referred to them; and have also examined witnesses respecting delays in paying obedience to writs of Habeas Corpus ad Subjiciendum. They find that writs of Habeas Corpus ad Subjiciendum, returnable in vacation, have been disobeyed; and that there is no power to compel obedience to them, nor to punish such disobedience in vacation; and they are of opinion, that such power is essential to the satisfactory administration of the law relative to writs of Habeas Corpus ad Subjiciendum, both when issued at common law, and when issued under the directions of the statute 31 Car. 2, cap. 2. And your Committee beg leave to mention, that the want of such power, has strongly appeared in two cases, of which evidence has been given before them: in one of which a man was imprisoned on board a ship belonging to or pretended to belong to a foreign state, and treated with great severity, and only escaped from being carried out of the kingdom by the interposition of the Board of Customs, who prevented the sailing of the ship: and in the other case, a girl of sixteen years of age being detained from her mother under circumstances of great aggravation, and the judge before whom the writ was returned, not having power to compel the production of the girl in vacation, it was necessary to commence a suit in Chancery, in order to make her a ward of court, and by that mode to obtain the delivery up of her person; a remedy in itself expensive and circuitous, and which could not have been resorted to, had not the minor been entitled to property.

Your Committee also submit their opinion, that provision should be made for the summary inquiring into the truth of the facts contained in the return to a writ of Habeas Corpus ad Subjiciendum, where the detention is admitted and justified; and that power should be given to the Court or to the Judge before whom such writ is returnable, to discharge the person imprisoned or detained, on bail, during such examination or inquiry, or in cases that may appear to require it, to make such order for the care, custody, or disposition of the person so imprisoned or detained, as the Court or Judge shall think proper.

Your Committee are also of opinion, that all the judges of his Majesty's Courts at Westminster, should be empowered to issue writs of Habeas Corpus ad Subjiciendum in vacation time, in cases not within the statute 31 Car. 2, cap. 2.

APPENDIX.

MINUTES OF EVIDENCE.—Select Committee on the Laws respecting the Writ of Habeas Corpus ad Subjiciendum.

Mercurii, 7° *die Junii*, 1815.

Mr. SERJEANT ONSLOW in the chair.

David Burton Fowler, Esq. called in, and examined.

What office do you hold?—I am second Secondary of the King's Remembrancer's-office in the revenue department of the Exchequer; I have held my office fifty years.

Have you ever issued during that period, any Writs of Habeas Corpus ad Subjiciendum, except where the party was under a criminal charge?—Never, except when he is under a criminal charge; I refer to the case of a person detained in charge as a smuggler; such persons have been brought up on various occasions to testify, and to be charged in execution; and except in civil suits, where the party was in the custody of a sheriff.

Out of what office in the Exchequer does the prerogative process issue?—Out of the King's Remembrancer's office.

Thomas Platt, Esq. called in, and examined.

You are head clerk to the Lord Chief Justice of the King's-bench?—I am.

How long have you been conversant with the business of that office?—Five-and-thirty years.

Do you know of any case in which a Writ of Habeas Corpus ad Subjiciendum has issued in vacation, where the party was not under criminal charge, obedience to which has been refused or delayed?—None.

Do you know a case where a woman was under confinement, and the party delayed obedience for a fortnight?—I apprehend the case of Jane Groves must be the case alluded to, for I can find no other; that was in March last, but the facts were not as is supposed: an application was made on the 16th of March last by Messrs. Aubrey and Curtis, on behalf of Thomas Groves, of Cambridge, who was stated to be a tailor, who stated himself in his affidavit to be the brother of Jane Groves, who was of the age of seventeen years or thereabouts, and that she was seduced and carried away from Cambridge, or a place called Milton, near Cambridge, on Sunday the 5th day of March, by one M'Cann, who was then or had lately been a gentleman commoner of Christ's College, Cambridge; the affidavit, which I have in my hand, went on to state the belief of the deponent that she was detained against her will, and that an application had been made to M'Cann, to restore her to her friends, and which he had refused to do, upon which the Chief Justice signed a Writ of Habeas Corpus to M'Cann to bring before him Jane Groves: shortly afterwards an application was made to me by Mr. Richard Hill, an attorney resident in Chancery-lane, for a copy of this affidavit; he acted as the attorney for M'Cann; a copy of the affidavit was granted to him, and after that I heard no more of it; and it would certainly appear that obedience had not been paid to the Writ of Habeas Corpus, although it would be supposed that, if it had not, an application would have been made to the Court for an attachment: I made inquiry yesterday into the case, I went to Mr. Hill, and was informed by him that within four days after M'Cann was served with the writ, he brought the female to his (Mr. Hill's) house, notice having been previously given to the solicitors who applied for the writ, who met them there; that the brother who had applied for this writ had an opportunity of an interview with the girl, and that the result was, the delivery up of the girl there to her brother; so that so far the effect of the writ was obtained; she was taken to some place which the brother had to take her to, and was to have set off next morning with him at seven o'clock, but she thought proper to get up at six and run away again, and return to Mr. M'Cann, the person who had taken her away from Cambridge, and with him she at present resides, her relations finding that she is not to be controlled: That is the only case I am aware of, to which the question can allude.

Mr. *James Rooker* called in, and examined.

You are clerk to Messrs. Kaye, Freshfield, and Kaye?—I am.

Do you remember the case of an Habeas Corpus directed to Jose Berestien, to bring up the body of Ludwig Hoffman?—Perfectly.

State the particulars of that case?—

Ludwig Hoffman was master of the ship Charlotta; she was freighted by British merchants to Havre-de-Grace, under licence of his Majesty's government, with sugar and coffee; she sailed in April or May 1813, under Danish colours; after she left Portsmouth, she was captured by a vessel under Spanish colours, assuming to be a Spanish privateer, called the San Juan Baptista, in which Mr. Berestien was, I believe, the chief mate; the Charlotta was brought into Portsmouth in the month of July 1813, as prize to the San Juan Baptista: no control whatever was exercised over the person of captain Hoffman; he came to London, and occasionally went down to Portsmouth, and went on board his ship, until the month of April, 1814; on the 6th of April 1814, he went on board for the purpose of superintending the delivery of the cargo out of the Charlotta into warehouses under the Custom-house locks, an application having been made by the proprietors, that, pending the proceedings going on between the captors and the proprietors (her character of a Spanish privateer being denied) the cargo might be delivered into their warehouses; captain Hoffman was seized on going on board, by the prize-master and the Spaniards on board his ship, and thrown into a boat along-side the vessel, without either hat or shoes, carried on board the San Juan Baptista, and there put into irons; information was immediately given to the proprietors of the cargo, and on the 7th of April, application was made to Mr. Justice Bayley for a writ of Habeas Corpus, and the writ was granted by Mr. Justice Bayley on the same day, and forwarded to Portsmouth that night by express: I think on the 8th or 9th, the writ was served on Jose Berestien, the person having the command of the San Juan Baptista, who refused obedience to the writ, disclaiming the authority of the Court, and stating that Hoffman was his prisoner; and in fact he entered a protest with the Spanish Consul at Portsmouth, against the process of the Court; an affidavit of the service was transmitted to town, accompanied with a statement of the refusal of the commanding officer to deliver up Hoffman; in consequence of which an application was made to Mr. Justice Bayley, to enforce obedience to the writ; he had a conference with Mr. Justice Dampier, at which Mr. Dealtry of the Crown-office was present; and a letter was addressed by them, or one of them, to lord Ellenborough, stating the circumstances of this case, and the imminent peril in which Hoffman's life was considered to be from the violence of the conduct of this man; for I should state, it was exceedingly difficult even to serve the process, for the crew of the San Juan Baptista came on the deck with cutlasses and daggers, and threatened the life of any person who should come on board: application was made, as I understood, from Mr. Justice Bayley to lord Ellenborough, on the 12th; on the 15th we received lord Ellenborough's answer, that obedience could not be enforced till the succeeding term, which commenced on the 27th of April; many delays took place after the commencement of the term, and he was not released in fact till the 15th of May: they obtained a rule to show cause why the writ of Habeas Corpus should not be quashed; and Berestien made an affidavit, claiming Hoffman as a prisoner of war; affidavits were made to rebut that statement; and on the hearing of the case on the two sets of affidavits, the Court ordered Hoffman to be discharged.

Was any attachment ordered against Berestein?—An attachment was ordered to lie in the Crown-office.

How came it not to be enforced?—He delivered up Hoffman, and allowed him to be taken on shore.

Was any compensation obtained?—Only the costs: I have omitted to state, that so fully were Mr. Justice Bayley and Mr. Justice Dampier aware of the danger in which this man was placed, and the importance, if possible, of enforcing obedience to the writ, that when they wrote to lord Ellenborough, they also directed Mr. Dealtry to write to the Commissioners of the Customs in their names, requesting their interference to prevent, if possible, Hoffman being taken out of the San Juan Baptista, or the sailing of the San Juan Baptista, or in fact to control the conduct of the Spaniards respecting him.

The Judges were of opinion they could not issue process of contempt in vacation?—Yes, that was the impression upon their own minds; and they stated the case to lord Ellenborough, in order to have the sanction of his opinion.

Was any action afterwards commenced for the damages?—No, there was not.

Mr. *John Alexander Berry* called in, and examined.

In what office are you?—In the Six Clerks Office in Chancery; I am agent to Mr. Shaddick; I have been in the office between 30 and 40 years.

Have you ever known writs of Habeas Corpus ad Subjiciendum issued out of the Chancery in vacation, except where the party was under a criminal charge, or was an infant?—I have; I recollect one instance where a Habeas Corpus was made out to bring in the body of a married woman returnable in vacation; but it was made out in the term.

Have you known of any instance of such a writ being issued in vacation?—No, I have not; and I have taken pains to ascertain whether such a thing has been known in the office, and cannot find that any other person is aware of such a circumstance: I have applied at the Register's Office, to know whether they have ever drawn up an order for an Habeas Corpus in the vacation; and they have no recollection of having done so.

Do you know of many applications having been made for writs of Habeas Corpus?—I never knew but of two applications for Habeas Corpus; the one in the case of a married woman, and the other in the case of a child.

Henry Dealtry, esq. called in, and examined.

When was the writ issued in the case of Berestien?—On the 7th of April 1814.

That was in vacation?—It was.

When was the attachment moved for?—On the 28th of April, which was the second day of term.

What was the issue of that matter?—The Court granted a rule to show cause why an attachment should not issue; on the 6th of May Berestien obtained a rule to show cause why the Habeas Corpus should not be quashed; on the 14th of May, the Court discharged the rule Nisi for quashing the Habeas Corpus, and made the rule absolute for the attachment, but directed the attachment to lie in the office till the further order of the Court.

Would it be in the course of the Court to give any directions with respect to costs in such a case?—No, I think not; in regular course they might have discharged the rule Nisi for the attachment on the payment of costs; the only other way, I apprehend, in which they could give the costs, would be by mitigating the sentence for the contempt, in consideration of the payment of costs.

Is or is not an attachment for not returning a writ of Habeas Corpus bailable by a Judge?—I have always considered it to be so.

Does the Court of King's-bench, upon a return to a Habeas Corpus ad Subjiciendum at common law, examine by affidavit into the truth of the facts contained in the return?—I apprehend not.

Are the applications made to the Court of King's-bench for writs of Habeas Corpus ad Subjiciendum not within the statute of Charles 2nd, numerous?—They are more numerous in time of war than of peace; but I am not prepared to give the number, not having an individual knowledge of all the applications, each clerk in court issuing those for which application is made to him.

What do you conceive to be the proportion of those issued under the statute, to those under the common law?—I cannot speak to the proportion, but I conceive very few indeed are issued under the statute.

In time of war is not a large proportion in the case of impressed seamen?—It is.

Have you known instances of applications made in the case of infants detained?—Yes.

Have there been many such cases within your experience?—Not many.

Have there been any in the case of married women?—There have.

Have there been any in cases of lunacy?—There have been several applications; and I think there have been one or two granted in the cases of persons confined as lunatics.

Do you happen to recollect within your own experience, instances occurring in vacation time, of an application for a writ in any of those cases, of lunatics, infants, or married women?—Yes; the instances of such applications have been very few.

Lunæ, 12° die Junii, 1815.

Mr. Serjeant Onslow in the Chair.

Mr. *William Cook,* called in, and examined.

I am partner with Abraham Rhodes and Thomas Handley, as solicitors and attornies, and was employed in October 1803, by Wm. Woodward, and Fanny Woodward, the brother and mother of Elizabeth Woodward, a minor of the age of sixteen years, to sue out a writ of Habeas Corpus directed to William Wilson, of Basingstoke, in the county of Hants, inn-keeper, having the custody of Elizabeth Woodward, to bring her up before Lord Ellenborough on the receipt of that writ; she left her mother's house at Winchester on Sunday 9th Oct.; she lived with her mother, who, I believe, lived on her fortune; on her being missed, she was traced, after great trouble, through various stages, to London, as accompanied by Wilson, in whose custody she remained: the writ of Habeas Corpus was served on Wilson on the 18th Oct., he was served at Basingstoke, and her abode could not be discovered; on the 22d October he returned the writ before Mr. Justice Laurence, stating that Elizabeth Woodward was not, at the time of serving the writ, nor at any time since, in his custody or power, and that she was free from his control, and that therefore he could not produce her: I objected to the return, as untrue in the fact of her not being in his custody; but the Judge was of opinion that he could not enter into that inquiry: on that a bill in Chancery was filed, and she was made a ward of court; and by an order of the Lord Chancellor she was delivered up to her friends: term commenced the 6th Nov.; application was made to the Court of King's-bench against William Wilson, for not having paid due obedience to the writ of Habeas Corpus; and it appearing to the Court that he had wilfully disobeyed the writ, he was in the Hilary Term following committed to the custody of the Marshal of that Court, and being brought up again in the same term for judgment, he was by the said Court ordered to be imprisoned in his Majesty's gaol of Newgate for six calendar months, and to pay a fine of fifty pounds.

Jovis, 15° *die Junii* 1815.

Mr. Serjeant ONSLOW, in the Chair.

Thomas Johnson, esq. called in, and examined.

I am partner with James Farrer, esq. the principal secretary of the Lord Chancellor; in the situation of secretaries, we have not made out any writs of Habeas Corpus ad Subjiciendum since Mr. Farrer held the office, during eight years: we have caused inquiries to be made at the Six Clerks Office, at the Petty Bag Office, Crown and Cursitors Office of the Court of Chancery, and have not been able to ascertain that such a writ has issued in the Court of Chancery within the last ten years.

Henry Dealtry, esq. further examined.

Did you, by the desire of Mr. Justice Dampier, Mr. Justice Bayley, or either of them, address any letter to the Commissioners of the Customs, respecting the case of Ludwig Hoffman?—I did, by the desire of Mr. Justice Bayley, address a letter to the Commissioners of the Customs, of which the following is a copy.

[Copy of Letter, and also a return of the number of writs of Habeas Corpus, &c. delivered in, and read.]

To the Honourable the Commissioners of his Majesty's Customs.

I am directed by Mr. Justice Bayley to state to your honours, that a Writ of Habeas Corpus being issued out of the Court of King's-bench, requiring the person having charge of the ship San Juan Baptista, or other person having the custody of Ludgwig Hoffman, to have the body of the said Ludgwig Hoffman before the Lord Chief Justice of the said Court: and it being represented to Mr. Justice Bayley that the said ship is now at Portsmouth, under the charge of officers of the Customs; and that Jose Berestien, first mate of the said ship, is the person who has the custody of the said Ludgwig Hoffman; and that he has refused to pay present obedience to the said writ: it appears to Mr. Justice Bayley that it may conduce to the fartherance of justice if the said ship was not permitted to sail, or the said Ludgwig Hoffman to be removed by the said Jose Berestien, until the said Writ has been obeyed.—I am, with great respect, your honours most obedient servant,

Crown-office, Temple, H. DEALTRY.
April 12, 1814.

A Return of the Number of Writs of Habeas Corpus ad Subjiciendum issued on the Crown Side of the Court of King's-bench, during the year preceding the first day of last Michaelmas Term.

Writs of Habeas Corpus ad Subjiciendum have issued for bringing up eighty-six persons—exclusive of eleven such Writs, issued for bringing up sheriffs.

Crown-office, Temple, H. DEALTRY.
June 8, 1815.

Mr. Serjeant *Onslow* gave notice, that it was his intention, early in the next session, to submit a motion to the House on the subject of the preceding Report.

MOTION RESPECTING THE GRANT OF CERTAIN PENSIONS.] Mr. *H. Martin* rose, in pursuance of his notice, to submit a motion to the House relative to the grant of certain pensions which he conceived were irregular. The pensions in question were, one to the family of a member of Parliament, which was granted on the 1st of February, 1806, and charged on the establishment of the Foreign Secretary; and two others, granted to two highly meritorious officers (colonels Congreve and Shrapnell) by a private intimation from the Crown to the Master-general of the Ordnance, and charged on the Ordnance establishment. The first grant which he had mentioned he contended was illegal, as would be perceived if the consequences of it were examined. The revenue of the Foreign Secretary's office consisted of fees, which were taxes raised in an indirect manner on the subject; and if these were not sufficient, the deficiency was supplied out of the Civil List. Therefore, if the pension was paid out of the fees, it was a diversion of indirect taxes to purposes not sanctioned by Parliament; if out of the Civil List, what became of the provisions of Mr. Burke's Bill? These pensions also being granted for life were, in effect, a charge upon the Civil List for a longer time than it was in the power of the monarch to grant—his power being restricted to grants during his own life. The grant was, therefore, invalid, as no similar grant had ever been expressly sanctioned by Parliament; and indeed if such grants were ever made formerly, they could not have come to the knowledge of the House, as the practice of laying before the House all increase of salaries and grants of pensions had not been customary before it was enacted by the 50th of the King. No negligence on the part of Parliament could authorize usurpation; and it was therefore the duty of the House to express its sense as to the grant in question, even if it should be proved that such grants had been before made. This grant was first made known to the House by the Committee on Public Expenditure of 1807; by which it also appeared that the Crown had usurped the power of granting pensions out of the produce of old stores, which was disapproved of by the House, on the express ground that the Crown had no right to charge indirectly the revenue by such grants. The other grants which he had alluded to were two pensions of 1200*l.* each, to two distinguished officers; and though the House should not behold with jealous eye the rewards given to merit, it should exercise vigilance as to the manner in which they were conferred. These pensions were granted by an intimation of the Royal pleasure to the Master-general of the Ordnance on the 14th of January, 1814, though not communicated to Parliament till the month of April. Such a proceeding he conceived to involve a complete deviation from the object of Mr. Burke's Bill. That Act must indeed become nugatory if it were competent to Royal authority to charge a pension upon any of the public offices without reference to Parliament. In the case of colonel Congreve the order of the sign manual to the Master-general of the Ordnance was simply this, that 1200*l.* a year should from year to year be charged among the Ordnance estimates for that officer. Thus this grant was clearly during pleasure; for what was to prevent the Prince Regent from revoking such a grant, and issuing an order accordingly to the Master-general of the Ordnance? In this view, then, it appeared that the Act of Anne was violated, for according to that Act any member of that House accepting a pension during pleasure was called upon to vacate his seat. The hon. and learned gentleman observed, that it was not his wish to disturb any of the grants alluded to; but merely to propose a Resolution, the object of which would be to put a check upon such grants in future, and to prevent any charge from being made upon any of the public offices, other than such establishments were usually liable to, without first obtaining the consent of that House.—He concluded with proposing his Resolution, namely,

"That it appearing to this House that certain pensions have been granted by warrants under the Royal sign manual, payable out of the establishment of the office of Secretary of State for Foreign Affairs, and the monies to be appropriated for the service of the Ordnance, it is necessary to declare that the funds upon which such pensions are charged constitute no part of the revenue of the Crown, and that the said pensions ought not to have been granted without the express consent and authority of this House previously obtained."

On the motion being put,

Mr. *R. Ward* rose, and first addressed

his observations to that pension which was granted from the office with which he was connected; and while he felt that this grant was made to an officer (colonel Congreve) of indisputable merit, he was prepared to maintain that the grant itself involved no unusual exercise of the Royal prerogative, but that, on the contrary, it was fully agreeable to ancient practice. There were, indeed, various sources of revenue which formed no part of the hereditary revenue included in the commutation with respect to the Civil List, upon which the Crown had been in the habit of charging pensions for the reward of public services. Among those sources were certain fees and gratuities received in the public offices; and upon such funds it had been an old custom to assign pensions for the compensation of retired officers, or as a remuneration to persons rendering some public service in such departments. Upon the Post-office, for instance, between 6 and 7,000*l.* a year were so charged, including an annuity of 3,000*l.* to Mr. Palmer. But it would seem, from the strain of the hon. and learned gentleman's observations, that the pensions to which he referred were really smuggled cases, which now, for the first time, had come to light; whereas the fact was, that above thirty such pensions had been granted within 35 years, which had never been animadverted upon or pronounced illegal, although such grants had come under the consideration of the Finance Committees of 1785 and 1797. Nay, although such grants had been noticed in the Committee on Public Expenditure in 1807, of which the hon. mover was himself a member, the subject had not been brought under the consideration of the House until the present moment. How came it, then, that the subject had for nine years been allowed to sleep, and how came it, also, that although the hon. and learned mover's notice referred only to one case, he had this night brought forward three cases? But where, he would ask, was the law, written or unwritten, that forbad this mode of granting pensions by the Crown? The hon. and learned mover had stated, that those pensions were virtually granted out of the Civil List, and that being granted without the previous consent of that House, they involved a violation of Mr. Burke's Act. But he denied the hon. and learned member's fact, and his inference also. He denied his fact, because those pensions were not granted out of funds included in the commutation of the Civil List for the hereditary revenue. But even admitting his fact, his inference was incorrect; for according to Mr. Burke's Act, the Crown was authorized to grant pensions out of the Civil List, to the amount of 95,000*l.* a year; and the fact was, that up to February last, only 87,000*l.* had been so granted—so that as only the pension of colonel Congreve, and 700*l.* a year to that meritorious servant of the public, Mr. Cooke [Hear, hear! from lord Castlereagh]; it followed of course, that Mr. Burke's Act had not been in any degree violated, even supposing colonel Congreve's pension to have been granted without the previous consent of that House. But, in truth, the prerogative of the Crown was competent to order the allowance alluded to, to be granted to colonel Congreve, for his services in the Ordnance department, in which department no other grant had been made for some time, but one to himself (Mr. Ward), for which he did not think it necessary to offer any justification, as he had made a sacrifice by accepting office in that department. As to the alleged illegality, however, of such grants, it was evident from Mr. Perceval's Act of the 50th of the King, that that allegation was unfounded. For this Act was avowedly brought forward and drawn up to regulate office pensions, which of course was a clear admission of the legality of such grants as those under consideration. But it was obvious, that the order of the Crown with respect to the grant to colonel Congreve, was made with the consent of that House, for it was included in the Ordnance estimates, which were voted by the House; therefore it appeared that the hon. and learned mover's complaint was totally unfounded. Then, as to the hon. and learned mover's reference to the Act of Anne, there was not one word in the order of the Crown addressed to the Master-general of the Ordnance, which implied that the pension to colonel Congreve was granted during pleasure. Of course this pension did not come at all within the meaning of that Act; for it was not granted with any view to create undue influence upon the mind of a member of that House, but to remunerate eminent public services.

Sir *J. Beresford* bore testimony to the great benefits which were derived from the use of colonel Congreve's rockets, as he had himself witnessed in actual service.

Mr. *H. Martin* in reply stated, that his reason for abstaining from bringing forward any motion earlier, respecting the particular pension which had been alluded to, was because he thought the Report of the Committee of Public Expenditure would have effectually checked all such grants; but when he found two other pensions granted, of precisely a similar description, he thought it right to bring the whole subject under the notice of the House, lest the thing should, at last, swell into an intolerable grievance. With regard to the Post-office revenue, that was distinctly commuted upon the accession of his present Majesty, and the Crown, therefore, had no right to charge pensions upon it. As to what had fallen from the hon. gentleman respecting the application to that House in the way of estimate, for its concurrence, if he was correctly informed, that pension had been paid to the individual for at least ten years, out of different offices, and which they were now called upon to continue. He apprehended, however, that the constitutional way of granting a pension, was not by foisting it into an estimate, but by a message from the Crown. The hon. gentleman said, that the seat of colonel Congreve in that House was not affected by his pension, because it did not come within the meaning of the statute of Anne; but upon the above points, and especially the latter, he differed from the hon. gentleman. What was the intention of the Parliament that passed that Act? To prevent the extension of the influence of the Crown, not surely so far only as related to granting pensions from the Civil List, but in every other way. Was it probable, indeed, that Parliament would leave the Crown in possession of numerous offices, with the power to grant pensions upon those offices in any manner, except from the hereditary revenue? He apprehended, therefore, that the hon. gentleman was a little incorrect in his view of the effect which the pension ought to have upon the seat of colonel Congreve.

The House then divided, when the numbers were—Ayes, 13; Noes, 71.

Motion respecting the Petition of Mr. Firth.] Mr. *Marsh* rose, pursuant to notice, to move that the Petition of Mr. Firth, his Majesty's Attorney-general in the province of Upper Canada, be referred to a select committee, to inquire into its allegations, and report thereon. He said he should content himself with merely stating the circumstances of the Petition, and leaving it to the judgment of the House to determine upon what course ought to be pursued. He begged leave, however, to say, that he was in no manner influenced by the feelings which actuated the petitioner, who was goaded and stung, no doubt, by a deep sense of injuries which he believed himself to have sustained. Who was the petitioner? Not an obscure, not an ignorant individual; not a person, who, from his condition in society, or his conduct, was likely to be disaffected to the Government; but a gentleman educated to the bar in this country, and selected by the Crown as a fit person to execute the duties of an important legal appointment in one of our most important colonies. He understood that he owed his appointment to the late Mr. Windham, a patronage which, of itself, was sufficient to confer no mean dignity. He understood, from the Petition, that Mr. Firth went out in 1808, at a considerable expense, to take possession of his office. Shortly after his arrival, governor Gore thought proper to let loose a number of petty vexations against Mr. Firth, and which continued during the last two years of his residence in that province. Those minor persecutions were not indeed exactly specified in the Petition; but it did not require any very deep knowledge of human nature to know that the combined effect of a series of petty mortifications, incessantly repeated, was often as great, and greater, than that produced by persecutions of greater magnitude and severity. It did appear, however, that the grievances complained of, were not all of that minor description. A plan was devised to get rid of the Attorney-general, by depriving him of the emoluments of his office; and in order to accomplish this, he was prevented, by governor Gore, from carrying on various public prosecutions, by which his income was diminished one-sixth, and all the dignity and efficiency of his office abolished. Another mode of persecuting him was also resorted to. When, from some peculiar circumstances in which the province happened to be placed, no servants except soldiers could be procured, a special exemption of the Attorney-general, as entitled to a servant of that description, was made by governor Gore, and he was reduced to the necessity of performing all the menial offices and drudgery of domestic life himself. Here again he begged to remind the House, that he did not state these things as facts, but merely as allegations contained in the Petition, brought forward by a man who had held a high station, and, *primâ facie*, therefore entitled to belief. They were such, in his opinion, as ought to produce inquiry, not only that the character of general Gore might be vindicated, if he was innocent, but that the shame and disgrace of having made such allegations, might fall with tenfold aggravation upon the head of their author, if they were false. There was another most important charge in the petition, in so far as it went to the declaration of a serious change having been introduced into the administrative justice of the country. It appeared that a very mysterious case of child-murder had occurred in that province, into which the Attorney-general thought it his duty to inquire; but during the preliminary investigation which he instituted, general Gore interfered, and expressing his aversion to the inquiry, ordered it to be stopped. In consequence of that proceeding, and being besides worn out and wearied with these multiplied persecutions, Mr. Firth applied for leave to return to England, which was not granted; but his residence in the province became so utterly impossible, that he was obliged to leave the country without obtaining the consent of Government, and he now applied to the justice and compassion of that House for redress. Such were the allegations contained in the Petition; and they were of a description which must make general Gore himself, and his friends, anxious for an inquiry, that they might be repelled, if unfounded. In presenting the Petition to that House, he had reluctantly undertaken a task which he was far from seeking, because it was an unpleasant thing to appear as the accuser of any man without knowing all the merits of a case. He had, however, long been acquainted with the petitioner, and he could vouch for his general honour and integrity of character; and he should have been subject to the reproach of his own feelings and conscience, if he had deserted an old and early friend by refusing to present his petition when he stated that he had been seriously aggrieved. He should conclude with moving, "That the Petition be referred to the consideration of a Committee, to examine the matter thereof, and report the same, as it shall appear to them, to the House."

Sir *J. Beresford* spoke strongly in behalf of general Gore's character and conduct, both as governor of Bermuda, and in his present station. On his arrival in this country, he was asked if he knew any reason why governor Gore had dismissed the Attorney-general, and his answer was, that before he left America there was not a voice in that country which did not say that governor Gore had done right, and that it was impossible the colony could go on with such an Attorney-general. He was sure general Gore had acted from the most honourable motives.

Mr. *W. Smith* said, he could not support the motion for inquiry, and he would state his reasons why he could not. With respect to the petitioner, he knew him well and long; he believed him to be a man of strict integrity, and he was sure the Petition did not contain a single allegation but what he believed to be well founded. When he returned from Canada, he requested him (Mr. Smith) to lay a memorial before the Secretary of State, which, after reading it, he did, together with as strong a recommendation as he felt himself justified in using. That memorial procured to him a certain degree of relief as to certain points which were urged in it: but that relief did not satisfy him, and he then requested him to present his Petition to the House. Upon looking into the Petition, however, and finding the allegations extremely vague, and many of them such as must have existed in the imagination only of the petitioner, he told him he could not undertake to present it, unless he also felt disposed to move something like an impeachment against the Secretary of State, for not paying more attention to the first memorial, which he certainly was not inclined to do. Upon those grounds, therefore, he should feel it his duty to vote against the motion.

Mr. *Forbes* said, that the conduct of governors, both in the West and in the East, was often such as would stamp their characters as petty tyrants. To them might well be applied what Buonaparté addressed to certain of his generals—that by being made governors their brains were turned. He had often witnessed such persons as he had just described, and was proceeding to lament that a notice entered some time ago on a similar case had not been pressed on the House, when

The *Speaker* interrupted him, by observing that he was wandering from the question.

Mr. *Forbes* resumed, and declared his entire concurrence in the motion; at the same time hoping, that, on an inquiry, the allegations in the Petition would be satisfactorily explained.

Mr. *Goulburn* could not accede to the proposition, although perfectly satisfied that nothing could afford general Gore more sincere pleasure than having an opportunity afforded him to bring forward the many proofs of innocence of which he was possessed. But, notwithstanding this circumstance, the House should in all cases act on public principles, without any regard to the individual feelings of those concerned. He said, that if on every trifling complaint an inquiry should be instituted to investigate grievances, either imaginary or true to a small extent, no other business could be transacted in that House. Mr. Firth, he would acknowledge, was a man of high respectability; but if his elevated situation was a presumptive argument in favour of his allegations, it was but fair to allow general Gore to derive a similar advantage when objecting to them. General Gore was chosen by Mr. Windham to fill his high and arduous situation—not from private or party reasons, but from the experience of his former government, which was well administered. At the time of his being sent to Canada, the colony was a scene of angry confusion, which was soon appeased by his authority. He then alluded to the charge made in the Petition against general Gore, as if he had hushed up a crime so heinous as child-murder. This charge required a distinct statement of the facts. The wife of a soldier in the 100th regiment was delivered of a child, whose death she attributed to the surgeon of the regiment. The case was investigated by the magistrates of the district in which it was said to have occurred. On this investigation Mr. Firth intruded, but was not permitted by the magistrates to be present during its continuance. The case appearing clear to them, the surgeon was dicharged, and his exculpation read in the general orders at the head of the regiment—not as a violent attack on Mr. Firth, but as an act of justice to the gentleman concerned.

Mr. *P. Moore* stated, that the petitioner was ready with witnesses to prove all the allegations in the Petition. Were he in governor Gore's situation, he should strenuously urge his friends to institute an inquiry into his conduct. The case of Mr. Firth was not singular. He had in his possession a variety of other cases. Among them was one of a gentleman, Mr. Wyatt, who was almost as dear to him as a son. Mr. Wyatt had been appointed Surveyor-general of the province of Upper Canada, and by his commission was rendered wholly independent of the Governor, being directed to communicate immediately with the Treasury. Mr. Wyatt had gone on for a considerable time in surveying the province, and in the more difficult task, the location of it, when—

Sir *C. Burrell* spoke to order. The hon. member, he said, was going into statements which had nothing to do with the question before the House.

The *Speaker* observed, that in strict order the hon. member must confine himself to the allegations of the Petition.

Mr. *P. Moore* resumed. He said, that it appeared, that when governor Gore arrived in Upper Canada, all was harmony and conciliation, but that shortly after the different public officers were turned out to make way for persons of his selection. Thus Mr. Firth was replaced by a youth. Mr. Wyatt having refused to appoint a deputy of the governor's choosing, was dismissed in three days. The governor made every effort to reduce his government to a simple despotism. The Judge, the Attorney-general, the Sheriffs, all suffered. Even the Speaker of the Lower House had been so intimidated, that, on a proposition for an address to remove the Governor, he gave the casting vote in favour of the Governor; an occurrence which he thought would not have happened in the British Parliament. There was another instance—[Order].

The *Speaker* reminded the hon. gentleman that he must confine himself to the question before the House.

Mr. *P. Moore* concluded by observing, that it was for the honour of governor Gore, that an inquiry should be instituted.

Lord *Castlereagh* concurred with his hon. friend near him in the opinion, that no case of this nature should be gone into, except where such corruption or oppression appeared as called for the high jurisdiction of Parliament. The case had been successively before three secretaries of state—himself, lord Liverpool, and lord Bathurst; who all entertained the same opinion of the high character of governor Gore, and of the unsupported character of the charges adduced against him. With respect to Mr. Wyatt, in advising his removal from Upper Canada in consequence of his differences with the Governor, he had accompanied that advice to the Treasury with a representation that there was nothing whatever in that gentleman's conduct which ought to prevent his being employed in some other colony. With respect to governor Gore, he had been selected for his great ability and integrity, and placed in Upper Canada by Mr. Windham. He knew nothing of him except officially; but thinking that his government was unfairly embarrassed by the interference of individuals, he had thought it his duty to interpose. If Parliament were to be called upon to inquire into all the little cases of difference arising in the colonies, no governor could return to this country without the occurrence of a multitude of applications similar to the present.

Mr. *Benson*, from the long intimacy he had with governor Gore, was unwilling to give a silent vote upon this occasion; but from what had fallen from the noble Secretary of State, and the Under Secretary of State for the Colonial department, it would be unnecessary for him to trespass on the House at any length. Had the hon. Secretary for the Colonial department been induced to entertain the motion for referring the Petition to a committee, he should have been prompted to a full investigation of the allegations of this extraordinary Petition. As to the memorial which the hon. member for Coventry (Mr. P. Moore) had stated to have been sent over from some of the inhabitants of Upper Canada, thanking his royal highness the Prince Regent for the recall of general Gore from his government, he (Mr. Benson) was not disposed to dispute its existence; but he was perfectly aware of the class of people from whom such memorial came:—as well might this country judge of the true sentiments of the loyal inhabitants of the good cities of London and Westminster, by a memorial from the worthies of Palace-yard, as to decide by the memorial alluded to by the hon. member for Coventry, of the sentiments of the respectable body of inhabitants of Upper Canada towards governor Gore. In order to draw the true contrast, he would, with the permission of the House, read part of the Address of the House of Assembly of Upper Canada, unanimously voted to governor Gore on his leaving that country, when his influence there might be considered at an end.—He then read the following Extract from the Address referred to:—"May it please your excellency—We his Majesty's dutiful and loyal subjects, the Commons of Upper Canada, beg leave to assure your excellency of our approbation of your excellency's administration of the government of this province, which, since your arrival among us, has increased in wealth, prosperity, and commerce, far exceeding our most sanguine expectations, aided by your wise and liberal exertions to promote the same."—From his long intimacy with governor Gore, he considered him incapable of an act of oppression, or an illiberal sentiment.

Mr. *Gordon* stated, that he had in his possession a letter in the hand-writing of the noble lord, in which he expressed himself perfectly satisfied with Mr. Wyatt's conduct.

Lord *Castlereagh* said, that he was perfectly satisfied with Mr. Wyatt's conduct in his situation; but that he thought his conduct towards the Governor ill-judged, to say the least of it.

Mr. *Marsh*, in the course of a short reply, observed, that he had never heard, until that moment, that Mr. Firth's petition had been offered to the member for Norwich, the suffrage of whose intelligent mind against it almost shook his own opinion. Still, however, he maintained, that if any one member in the House entertained sentiments unfavourable to governor Gore, it would be to the governor's honour to have the case fully investigated.

The motion was then negatived without a division.

HOUSE OF LORDS.

Wednesday, June 21.

FOREIGN SLAVE TRADE BILL.] The Earl of *Westmoreland* again repeated his objections to the Bill, and concluded by moving for a committee to examine what was the nature of the jurisdictions for the trial of offenders, and what prosecutions had been carried on under the former Act.

The Marquis of *Lansdowne* said, that the noble lord had for the third time stated the same objections in the same phraseology; and, therefore, he need only say, that if the present motion had for its object to defeat the passing of the Bill this session, he could not agree to it.

The Earl of *Liverpool* also objected to the motion, as it was understood that the Bill was to be re-committed.

The Earl of *Westmoreland* said, he did not wish to prevent the commitment of the Bill; but he submitted whether it would not be better to allow it to stand over for the present session. He withdrew his motion, however, for the present.

Lord *Ellenborough* doubted whether, after all they could do in the way of amendment, the Bill could be brought into such a state as to render it proper for their lordships to pass it. It would perhaps be better to postpone it till another session, rather than pass it in the crude and undigested state in which it must remain if now passed.

The Bill was then recommitted, and several amendments were made. The Chairman reported progress, and obtained leave to sit again on Friday.

HOUSE OF COMMONS.

Wednesday, June 21.

MONUMENTS TO GENERALS HAY, GORE, SKERRETT, GIBBS, AND GILLESPIE.] Lord *Castlereagh* rose, in pursuance of the notice he had given, to move for the erection of monuments to the memory of generals Hay, Gore, Skerrett, Gibbs, and Gillespie. He wished that this mark of their country's gratitude to officers who fell in its service, should be connected with some general rule in the grant of such tribute. The principle hitherto was, that monuments should be granted to those officers only who fell in actions which had been objects of parliamentary thanks. This principle had hitherto been departed from in no more than two or three instances. But he wished to make the rule of granting monuments depend on rank, and to lay it down that they should be granted to every officer of the rank of major-general who should fall in his country's service, and be recommended for that tribute by the minister of the Crown, without reference to the magnitude of the service in which he fell. This, he thought, would be beneficial to the country, and an incitement, if, indeed, incitement were necessary, to the valour of her officers. He would now come to the objects of his present motion. The first was major-general Hay, who fell in front of Bayonne, bravely leading on his troops. The next objects of his motion were major-generals Gore and Skerrett, who fell in front of Bergen-op-Zoom, and whose conduct and valour were conspicuous on that as on every other occasion. He should then have to mention major-general Gillespie, for whom he might be conceived more intimately concerned, as he was not only a countryman of his, but a native of the same county for which he had the honour of being a representative. He had served in most parts of the world, and in no part where his abilities, his courage, and his virtues were not conspicuous. He was beloved by the brave, and mourned by the valiant; and the country which produced him, in numbering the sons of her glory, would not mention him without feelings of proud, though melancholy recollection. He fell, in his usual career of honour, before Kalunga, in the East Indies. The last whom he should move the tribute of melancholy respect to, was major-general Gibbs, who fell with sir Edward Pakenham before New Orleans, in North America. The noble lord concluded by moving,

1. "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions that a monument be erected in the Cathedral Church of St. Paul, London, to the memory of major-general Andrew Hay, who fell gloriously on the 14th of April 1814, while resisting a sortie made by the garrison of Bayonne.

2. "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions that a monument be erected in the Cathedral Church of St. Paul, London, to the memory of major-generals Arthur Gore and John Byne Skerrett, who fell gloriously while leading the troops to the assault of the fortress of Bergen-op-Zoom, in the night of the 8th and 9th of March 1814.

3. "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions, that a monument be erected in the Cathedral Church of St. Paul, London, to the memory of major-general Robert Rollo Gillespie, who fell gloriously on the 31st of October, 1814, while leading the troops to an assault on the fortress of Kalunga, in the kingdom of Nepaul.

4. "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions, that a monument be erected in the Cathedral Church of St. Paul, London, to the memory of major-general Samuel Gibbs, who fell gloriously

on the 8th of January 1815, while leading the troops to an attack upon the enemy's works in front of New Orleans; and to assure his Royal Highness that this House will make good the expense attending the same."

The said Resolutions were agreed to, *nem. con.*

COMMITTEE OF SUPPLY.] The House resolved itself into a Committee of Supply, in which

The *Chancellor of the Exchequer* said, it was known to the Committee, that by the supplemental engagement at Chaumont, this country had engaged to maintain 75,000 men on the Continent, during a year after the conclusion of the Treaty of Paris, or to pay a certain sum towards the maintenance of a force by the Allies. The sum required to comply with this engagement was 355,000*l.* The subsidiary payments to Austria also had not been completed. These sums together would amount to about 1,631,000*l.*; but as the payments were to be made in foreign money, which would vary according to the state of the exchange, the sum which he should propose to the Committee at present was 1,451,000*l.* He accordingly moved a vote of 1,451,000*l.* to provide for subsidiary engagements with foreign Powers previous to the year 1815.—Agreed to.

The *Chancellor of the Exchequer* then proposed a vote of 10,000*l.* for the extension and improvement of the public buildings of the University of Edinburgh. This vote, he said, was due to this body, as a mark of the gratitude of the country for the benefit derived from that establishment by the numerous medical gentlemen whom the army and navy had received from it; and an additional claim was given on account of the want of room, principally for the library, which had greatly increased in extent.

Mr. *Wynn* did not disapprove of the vote; but observed, that as the ground for it was said to be the extension of the library, it was material to observe how that had taken place. It was by a rigorous exactment from Stationers-hall of a copy of every book entered there. A list of these books had been laid before the House—among them was "The Epicure's Calendar, or the Almanack of Good Living"—as the University intended, as appeared from their demand for a copy of this book, to extend its studies to that science, it might apply, perhaps, for a vote for the erection of a room to carry on a practical course in this branch of knowledge. It was said, on a former occasion, that it was an insult to the Universities to suppose that they would sell the books which they exacted from the publishers; but it was equally an insult to their taste, to suppose they could load their shelves with every book that was published. If the call for every book published was persisted in, he should, in the next session, move for an account of the disposal of these books.

The *Chancellor of the Exchequer* allowed, that it would be a great abuse of the Act of Parliament if the books demanded under it were sold; but he should be surprised if any such practice was found to exist.

Mr. *Giddy* observed, that when the present Act was in progress through the House, it was held out as an inducement to members to agree to the Bill, that the privileged bodies would not rigorously exact copies of all books published; but the Universities of Cambridge, Aberdeen, Glasgow, Edinburgh, and St. Andrew's and Trinity College, had required a copy of every book published, and Oxford and Sion College had given notice that they should in future make the same demand. He, however, heartily approved of the grant, and recommended that the buildings should be made fire-proof. It was to be regretted that the British Museum was not in that condition.

Sir *Egerton Brydges* complained of the oppression under which booksellers laboured, and thought it required the attention of Parliament.

Mr. *Horner* hoped that care would be taken for the due application of the money thus voted. Not only architects should be consulted, but also the professors of the several branches of science, whose accommodation ought to be particularly consulted.

Mr. *W. Dundas* agreed in this opinion, and felt assured that the suggestion would be attended to.

Mr. *W. Smith* congratulated the country on the mental improvement so visible. He looked back to the time when such a grant would have been refused, and contemplated with great satisfaction the anxiety now so prevalent to afford every assistance to literature.

The Resolution was then agreed to.

Mr. V. Fitzgerald proposed a vote of

3,373*l.* for the Depôt barracks at Cork.—Agreed to.

Mr. *Horner* took the opportunity of observing, that the encouragement given to emigration from Scotland, had been productive of pernicious consequences in that country, by depriving the country of many useful hands, and by producing disquietude among people who before had been perfectly satisfied with their condition. He instanced the estates of a noble friend of his in the north of Scotland. He was happy to hear that those encouragements were not continued, but it would be proper that a distinct declaration to that effect should be made. A more pressing cause for his having brought the subject before the House was, that many of the persons who had applied to emigrate, had been kept in the sea-ports from April to the present time, and had consumed the little stores they had collected by labour, as the means of establishing themselves in the New World. One man with nine children, who had saved fifty guineas, was kept at Glasgow with his family till his store was consumed, and was now obliged to subsist on charity. Something would, he hoped, be done for these persons.

Mr. *Goulburn* said, that no encouragement had been given to emigration; but as the danger in which Canada was during the last war, had arisen from its scanty population, the object of the Government was merely to divert those determined to emigrate from the United States, and change their destination to his Majesty's possessions. As many transports were to have been sent out to bring home our troops after the conclusion of the war, that circumstance was taken advantage of; but the change of circumstances had changed the destination of those transports, and the facilities were not continued. So far from any undue encouragement being given, the Government demanded a sum for passage-money, and out of thousands who had applied, only 86 families persisted when they knew the terms. As to those who were waiting in Glasgow for the departure of the transports, they had an adequate daily allowance from the day of their arrival there.

Lord *Binning* was glad that an explanation had been given, and hoped no encouragement would be given to emigration.

Mr. *Horner* said, the measures taken for diverting emigration from one place to another, were necessarily encouragements to emigrants in general.

The House resumed, and the Report was ordered to be brought up to-morrow.

MOTION RESPECTING CORPORAL PUNISHMENT IN THE ARMY.] Mr. *Bennet* rose and said:

Mr. Speaker;—In consequence of the notice I gave a few nights past, I rise in order to ask leave to bring in a Bill for the purpose of limiting the infliction of Corporal Punishment in the Army. From the frequent discussions which this subject has undergone, and the opinion entertained by the English people concerning it, from a sort of moral feeling having been generated even in the army itself, I had been inclined to hope that the necessity of a legislative enactment would have been superseded; but in this reasonable expectation, I am sorry to find myself disappointed, and that even at this time of the day, this cruel, unmanly, and disgraceful punishment is still inflicted on our gallant soldiery.—I hold in my hand a document which shows clearly both the extent to which this punishment has been carried, and the severity with which it has been inflicted. It is with pain, however, that I comment upon this document, as it more or less is connected with the professional conduct of my hon. friend (col. Palmer). I can assure him, that there is no one who compassionates—(I beg his pardon)—who feels more indignant at the treatment he and his gallant companions of the 10th Hussars have met with, than myself. Of the shameless injustice, of the cruel, unmerited injuries they have sustained, there can be but one opinion; and I would not have mentioned his name but with praise, if the best interests of the army were not connected with the subject under discussion. Indeed, one of the greatest evils of this system of punishment is, that it familiarizes humane and kind-hearted men with the sight of these scenes of torture; and that they become, contrary to their own nature, cruel and inhumane. This document sets forth, that in the regiment of the 10th Hussars, from the 4th of January 1813, to the same day 1814, 63 men have been flogged, and 35 in the period of the next six months; that the 63 men received 14,000 lashes: that the number of 600, of 500, of 400 lashes, have been inflicted at one time. Gentlemen may, perhaps, not know that there has been a letter written since the discussions on military flogging took place in this House, by the order of the Commander-in-Chief, circular to the army, directing that the sentences of regimental Courts-martial should not exceed 300 lashes: but in this regiment 600 and 500 lashes were awarded, and inflicted: so that the maximum of the Commander-in-Chief was frequently the minimum in the 10th Hussars. Nor is this all: in many cases it was impossible to know for what offence the men had been punished, it frequently occurring that a certain number of lashes were inflicted for conduct unbecoming a soldier. From a charge so vague, nothing could be collected, as to the real nature of the offence committed: it might be any thing or nothing; the most heinous or the most trivial of military offences. How, I would ask, from this manner of drawing charges, is the Commander-in-Chief to become acquainted with the real state of the discipline of regiments? All that he could know would be, that this horrible punishment had been inflicted on 63 men in one regiment, in the short period of 12 months. I should like to be informed, if the punishments of this regiment furnish a standard by which we may judge of the number that takes place annually in the British army. If that be the case, more than 18,000 men were flogged last year. I ask the noble lord to say yes or no to this question: am I right in the assertion that 18,000 men were flogged last year? If, then, there were not so many who suffered under this cruel torture, let the noble lord furnish a list, that the House and the country may know the nature and extent to which we carry the severities of our military code. But let the House bear this fact in mind, that after all the flogging inflicted on the regiment alluded to, the discipline had been equally bad as before. In fact, no regiment and no individual has ever been reformed by flogging: the spirit of the man might be broke, but his conduct would not be amended. But why is it necessary to punish soldiers in this manner at all? The practice is peculiar to England. Is it, then, fit that the bravest and freest people in the world should be governed by the lash, and treated like slaves? I have understood that in Austria it is abandoned: that in Russia it forms no part of the military code. In Prussia it was once most general. I believe we owe much of our system of severity to that school: but I beseech gentlemen to remember, that in Prussia this mode of punishment is abolished—it exists no longer. The Prussian soldiers were flogged when they lost the battle of Jena: they ceased to be so when they won the battle of Laon. The system of flogging exists not in the French army; and, in fact, it forms no part of the military code of any other country. To our disgrace, then, be it spoken, that in England alone are the brave and gallant people, who form our army, exposed to this disgraceful, this disgusting punishment! It has been my good fortune this last year, to visit many parts of the Continent, and I every where heard the same language upon this subject. In all countries, and by all people, a strong sense was expressed of the kindness and good conduct shown by our countrymen: but it was always mixed with expressions of surprise at our ferocity to each other. But I wish to be informed, what right there is to conclude, either drawn from theory or from practice, that any regiment was likely to be reformed by severe punishments, or that the reformation of any individual could be expected from such inhuman severities: I would ask any officer present, if he ever heard of a regiment reformed by flogging—if he ever knew a single man so reformed? Is it not true that the fewer the punishments, the fewer the crimes? Corporal punishment will not reform—pain will not reform: they are instruments in the hands of sloth and malignity; and when men are, by the adoption of these cruel modes of punishment, disqualified for command, they have permission given them to punish, to torture, to ruin; for is it not true that this punishment ruins those who, under a milder discipline, might have proved meritorious soldiers? While the lash strips the back, despair winds round the heart of the miserable victim, who is conscious that he has lost the confidence of his officers, and the esteem of his comrades; and how could it be otherwise? Are not these severities likely to render the unhappy sufferer callous to any consideration of morality or shame?—I may apply to this punishment what Beccaria says of the punishment of death,—that it requires neither the exertion of reason, nor the subjugation of passion. But I repeat again, why is a British soldier to be exposed to these horrible punishments? They are not even inflicted on our foreign soldiery. You do not punish your foreign regiments in this manner; neither are the Portuguese in our service and pay so treated. Why are the French not to set us an example upon this subject? In the French army it is notorious, that the punishment of flogging has long been unknown. No French officer would venture to bring out a French soldier and flog him at the head of his regiment. In former times, the Count de St. Germain attempted to introduce into the French army the former custom of punishing a soldier with the flat of the sabre; but the attempt failed: for, on bringing out one of the soldiers to receive this punishment, he exclaimed, "Je n'aime du sabre que le tranchant"—"of what belongs to the sabre, I like only the edge,"—which exclamation marking the soldier's preference of death to the disgrace of flogging, became proverbial in the French army, and universal disgust against the ignominious practice was excited; and it was abandoned. What, then, belongs to the character of the British soldier to warrant the presumption that he would brook, or that he ought to submit to be subjected to that punishment at which all the other armies of Europe revolted, and which, indeed, was abolished in every other army but his own? Will it, then, be maintained, that it is one of the privileges of Englishmen to be flogged? I call upon gentlemen to say, why it is necessary in the English army and unnecessary elsewhere; for if it be so, he must allow that, in the true feelings of honour, in the nice sense of moral susceptibility, we are inferior to the other nations of Europe. No man will venture to hold this language, here or elsewhere. Our gallant soldiers are not inferior to the soldiers of other nations; and it is not true, that those modes of correction which are found effective in other armies, can have no influence in our own. I do not believe that ever the inhuman punishments that are the disgrace to the English name, have so degraded and brutalised the feelings of our soldiery, as to stifle their feeling of honour; and I have no doubt, if the experiment were permitted to be tried throughout the army, as it has been tried in some regiments, that the same discipline might be kept up without the punishment as exists at present—not, as I contend, by them, but in despite of them.—Now, Sir, it is with pain that I mention, that I have never been in foreign society, among those who admire us the most, who are most alive to our national virtues, and the most blind to our defects, but I found among those persons but one opinion upon this subject. In those countries where our armies have lately distinguished themselves by their humanity and discipline, no less than by their courage, where one was welcome as an Englishman, merely from gratitude for the services and respect to the character of the army, the universal language was, "that our punishments filled them with horror, that their ears were stunned by the cries of our soldiery under the infliction of the lash." "You," they exclaimed, "that are so kind and gentle to us, why are you so ferocious to each other?" Nor was it possible that such should not be the feelings of foreigners. Rather than hear the cries and groans of our soldiers under torture, men would quit their dwellings. Our residence in their cities was complained of; and while we were every where hailed as benefactors, this single, but constant calamity that we brought in our train, has stamped in the minds of those who had the misfortune to witness it, an opinion most unfavourable to the national character. But while those punishments were openly exhibited abroad, they were inflicted secretly at home. They could not, indeed, be perpetrated in open day; it is the custom to have the punishments inflicted in obscure places, in barrack-yards, or barrack-rooms; any where indeed where the public eye could not see them;—for it is notorious, that no man could venture to treat an animal at Charing-cross in such a manner as our soldiers were treated under the infliction of flogging, for the indignation of the public would overwhelm him.

Now, Sir, I repeat again, my question, why is it necessary to retain this system of punishment? I beg to have a distinct answer—not given in generalities, and loose assertions, but a sound and substantial reason, why the English army alone, of all the armies of Europe, is to have its discipline kept up by the lash? It is known that the great majority of our own officers revolt at this infliction—that many of those gallant gentlemen who cheerfully front the utmost dangers of war, who "seek the bubble reputation even in the cannon's mouth," cannot endure to witness it. Such a scene, indeed, is intolerable to any humane heart. But to return to the effect of this system of punishment upon the army, it is notorious that it never operated to reform those upon whom it was inflicted, however it might serve to degrade them in their own estimation, and that of their officers and comrades. Nothing is more true, indeed, than the proverbial estimation, that flogging makes a good soldier bad, and a bad soldier worse; while a variety of instances might be quoted to show that in those regiments in which flogging is more rare, discipline is best preserved. But an anecdote related by the American historian as to the effect of major André's execution, upon the mind of the people, serves to illustrate the consequence of barbarous punishments.

"Bear witness," said that unfortunate officer to those who stood around the scaffold, "to my gallant comrades, that I die like a brave man!" He did die like a brave man, and the historian who relates his misfortunes and his death, is an evidence of their effect on the American army, and the danger of thus trifling with the best feelings of mankind. Nor could it be otherwise; heroic constancy under pain and patience, under suffering, have at all times secured the admiration of the world. There is not one of us who could witness the gallant bearing of any criminal, at the place of punishment, who would not sympathise more with the sufferings of the victim, than approve of the sentence of the law. If these are our feelings, what must be those of the more ordinary minds of our soldiery? What must be their feelings in all the doubtful questions, where the soldier and the officer are at variance,—in disputes on pay or terms of service, and where the ardent spirits that become the leaders, are dragged before your merciless tribunals, and exposed to that cruel and disgraceful punishment? I leave this question to your serious consideration; I will not press it further. Remember the punishment may either blunt the feelings and brutalise the character of your soldiery, or you are in danger of raising a storm which may be fatal to the empire.

Under all the circumstances of the case, I have no doubt that this system of punishment, is adverse to the character of England, and that it has gone to such an excess as imperiously to demand the interference of the Legislature, by whom it would be found very easy to devise other modes of punishment more effectual for the preservation of military discipline, and more appropriate to our national character. It is, amongst other arrangements, the object of the Bill which I propose to the House, to limit the lashes to be inflicted on foreign service to 100, and to abolish the practice altogether at home. In settling the quantum of punishment to be inflicted abroad, I am governed by the practice which prevails in our navy, in which not more than six or eight dozen lashes at most are ever inflicted. I do not think it necessary to refer to any other instances of severity than those I have cited, to show the necessity of legislative interposition on this subject. But I apprehend if I could see the black roll of other regiments, I should be able to adduce many more instances to enforce that necessity. I have indeed heard of other regiments in which the frequency and severity of corporal punishments are most excessive, but those regiments I will not name on this occasion. For, after quoting from the document I have before alluded to with respect to the 10th Hussars, it cannot surely be said that I have not made out a case amply sufficient to justify the proposition which I have the honour to submit to the House.—The hon. member concluded with moving, "That leave be given to bring in a Bill to limit the number of lashes to be inflicted by Courts-martial in the army."

Sir Francis Burdett, sir M. W. Ridley, and Mr. Peter Moore, rose at the same time to second the motion.

Colonel *Palmer* rose and said:

Mr. Speaker; I regret extremely to be compelled in any manner to advert to a subject, which although I had pledged myself some time since again to bring forward, I was induced, from particular circumstances, and with the general concurrence of my friends, to relinquish—I mean the Court-martial upon colonel Quentin; but as the worst of the punishments in the 10th Dragoons, which were produced by colonel Quentin upon his trial as matter of accusation against me, have been stated by my hon. friend as the ground of his motion, I trust the House will feel that I am bound in justice to my own character and conduct to enter into an explanation of the facts. The same motive, however, which led me to drop the renewal of the subject, will still prevent me from alluding to any other part of those proceedings which does not immediately relate to the question before the House; and that I may not be misunderstood, I beg to say, that it arises solely from the consideration of colonel Quentin being again in service with his regiment, and the repugnance I feel to any act that may be injurious to him under such circumstances.

With respect to the general system of corporal punishment, every one must feel that nothing but absolute necessity can justify the practice; on the other hand, the necessity of discipline must be admitted, and the only point at issue is, whether other means might not be found to attain the end than those at present objected to. I do not presume to understand this question better than other officers, but must contend, that it is one upon which military men alone can be competent to decide; and although I sincerely believe in the humane motives of my hon. friend and others, who, from time to time, have brought it forward, I must say that it has been productive of serious injury to the service, by tending to excite insubordination in the soldiers, and to discourage the officers in their endeavours to suppress it. I own at the same time, that I think the way in which these motions have always been met, has tended rather to encourage than deter the movers from renewing them:—they have been assured of the Commander-in-chief's anxiety to accede to their wishes; that the number of punishments had decreased, that their severity had been diminished; and but a few days since, the noble lord (the Secretary at War) introduced a clause in the Mutiny Bill to obviate the necessity of the practice. Now, Sir, I think it might fairly be asked, why these regulations were not adopted before; and as nothing of the kind was thought of previous to the discussion of the question in and out of this House, it does appear to me that the amendments (if they are to be so called) in this part of the Mutiny Bill which have been made of late years, have been rather the effect of popular clamour, than the conviction of those by whom they have been introduced. This is not a question of improvement in military service or economy, but simply one of humanity and feeling, which must have been as well understood twenty years ago, when the present Commander-in-chief was in office, as now;—and I should be glad to know, what has since occurred to make the same power of corporal punishment, which was then thought necessary for the discipline of the army, to be less so at this moment? The fact is the reverse; for at the former period the army was upon so small a scale, that, generally speaking, none but men of good character were admitted, and those who disgraced the service were turned out of it; but as the establishment has increased, it has been found necessary to dispense with this custom; and of late years not only all descriptions of persons have been admitted, but the worst and most notorious offenders have been retained in the service, to the great injury of the regiments to which they have belonged; and although such persons at home may be delivered over to the Civil Power, yet upon foreign service, when it is impracticable, I am sure that no officer will assert that it is possible to maintain discipline without the power of inflicting corporal punishment.

With respect to the cases of the 10th Hussars, which have been brought forward, I trust, with the permission of the House, fully to justify the system I acted upon, and to prove that it not only effected the discipline of the corps, but was in fact the most humane that could have been pursued. Previous to the regiment being ordered on service at the period mentioned, it had been quartered in London under the command of col. Quentin; and I am compelled, in justice to myself, to declare, that the discipline was then in that relaxed state to which the punishments which afterwards took place were chiefly to be attributed. The men were constantly in the habit of getting drunk, and absenting themselves from their duty, being encouraged by the impunity with which these offences were suffered. Col. Quentin was certainly at this time in bad health; but being in the command of the regiment, he was the only person who could be responsible for its discipline. On the order for embarkation, the command devolved upon me; and upon the arrival of the regiment at Lisbon, the conduct of the men was what might naturally be expected from soldiers landing in a wine country, who had not been restrained in habits of drinking at home. For the first few days, the whole regiment, non-commissioned officers as well as men, were in a state of intoxication; and I would ask my hon. friend if, under such circumstances, it was not my duty, looking to the good of the service and the responsibility of my own situation, to adopt the most effectual means of checking the evil, and restoring that discipline by which alone the health and effective strength of the regiment could be preserved? The first step I took was to assemble the whole of the men, and after pointing out the consequences of their drunkenness, and the necessity of putting a stop to it, I pledged myself to make no distinctions, but to bring every individual whatever to trial and punishment whose conduct should call for it. Having given them warning, I acted up to my professions; and the consequence was that, after three or four punishments, and the men found I was in earnest, they immediately returned to their duty, and in less than a month, from the state I have described, the regiment became in as high order as any in the service. I am sorry to be thus compelled to speak it myself; but trust the House will feel that, upon a question of such importance, it would be false delicacy in me to withhold any thing I can say in support of a system which I consider it to be my duty to defend against the prejudice that has been raised against it. I deny most positively the assertions contained in colonel Quentin's defence, (and which seem to be credited by my hon. friend), of the frequency, but inefficacy of the punishment under colonel Robarts and myself. If he will examine the document he has produced, he will find, by a reference to the dates, that by much the greater part of those punishments were inflicted by colonel Quentin. During two months that I held the command at Lisbon, notwithstanding the task I had to perform, only eight men were punished for neglect of duty from drunkenness; and I am sure every officer who was present with the regiment, would say that they never knew it in such good order before. When I speak of discipline, I do not mean the appearance which a regiment may make at home at a review; if it is to consist in having the best men, horses, and appointments, nothing certainly could exceed the Tenth; but what I mean by discipline, is that state which may enable a commanding officer to depend upon the good conduct of his regiment in the discharge of any duty it may be called upon to perform. But this never was, nor could be the case, under the system which had been pursued in the 10th, and, I believe, other regiments. It is a maxim in the service, and may be found in the Standing Orders of all regiments, that drunkenness is the source of every crime that a soldier commits; is it not, therefore, the first duty of those in command to do their utmost to check this habit? But the plan pursued in the 10th was the very worst that could have been devised; it was that of allowing the men to get drunk when they could; but to give them the opportunity as seldom as possible—for instance, they only received their pay once in two months, and upon these occasions two or three days were allowed them to get rid of it in the public-houses; and when their money was gone, their sobriety was calculated upon till the next pay-day. But whatever may be the policy of this measure with regiments in England, yet looking to their services abroad, nothing can be more injurious to discipline; and under such a system, the excesses of the men upon arriving in a foreign country where they can break loose are inevitable. I can safely say, that the regiment in England never marched from one quarter to another that each troop did not afford instances of drunkenness; and I think I cannot give a stronger proof of its good order and regularity under my command, than by stating the fact, that on its marching away from Lisbon, there was but one man drunk out of the whole. About this time, in consequence of colonel Quentin coming out to resume the command, I was under the necessity of returning home for a short time; but, owing to the sudden and rapid march of the regiment to join the army, it was for two months longer under the command of colonel Robarts before col. Quentin was enabled to overtake it: during this period the same high state of discipline was kept up; and it appears by the evidence on the trial, that nothing could exceed the good order of the regiment under colonel Robarts up to the time of colonel Quentin's arrival; and having had no share in it, I may take this opportunity of adverting to the honourable mention made of its conduct in action under the former officer, whose consequent promotion to the rank he now holds, best speaks his merit. During these two months that colonel Robarts commanded, only seven men were punished for drunkenness, with the exception of one occasion, when several men were flogged upon the same day, but which number ought not to be taken into the general calculation from the particular circumstance, which I will explain—it happened immediately after the battle of Vittoria, when some allowance was to be made for soldiers flushed with victory. The regiment had marched into a large town, where the inhabitants had never seen the English before, and so overwhelmed them with kindness and hospitality, that the men could not resist it. Unfortunately lord Wellington arriving with his staff, the regiment was obliged to turn out and seek fresh quarters, and being thus taken by surprise, at so unlucky a moment, exhibited a scene of drunkenness which the commanding officer could not overlook without departing from that consistency to which the good order of the regiment was entirely owing.

I now come to colonel Quentin's system, and in detailing it, I hope that the House will acquit me of being actuated by the slightest personal feeling against the individual. The first thing he does upon his arrival, as appears in the evidence, is to complain of the punishments that had taken place; and he begins with an indiscriminate pardon of those offences which the previous commanding officers had considered their duty to punish—and what was the consequence? From the day of his joining, till that of the censure upon the regiment by lord Wellington, nothing could exceed its irregularity and disgraceful conduct in every respect; and from the most effective state in men and horses, in a short time there was a lamentable deficiency in both. At Lisbon, although regiments are always more liable to sickness on first landing, not a single man went to the hospital with fever; within a few weeks, under colonel Quentin's command, more than half the regiment were sent to the hospital with fevers entirely arising from drunkenness. In stating the effect of this pernicious system, I attribute the want of firmness in colonel Quentin, which occasioned it, in a very great measure, to the unfortunate interference which has been thought necessary with respect to the discipline of the army, and which may naturally be supposed to have influenced his conduct. I imputed it also to certain instructions issued by the Commander-in-chief upon the subject, and which, with due deference to such high authority, I must consider to have been detrimental to the real interests of the service. These instructions were contained in a circular letter to all commanding officers, and, though stated to be private, were of course meant to be communicated to the senior officers of a regiment who might succeed to the command; and I state this because colonel Quentin complained of colonel Robarts and myself in not attending to these orders, which we were actually unacquainted with, owing to his misconception or neglect. These regulations went to diminish the power of Regimental Courts-martial, and which, upon foreign service at least, were found to be extremely inconvenient and injurious to discipline. But the part of this letter I particularly refer to, is where it is stated, "That the Commander-in-chief will estimate the discipline of a regiment, and the competency of the commanding officer, by the little recourse he has to corporal punishment;" and looking to colonel Quentin's conduct, I am persuaded that he took this observation in its literal meaning, and determined to flog only a certain number, whatever might be the proportion of offenders, considering that he should best prove his own superiority of discipline by reducing the average of punishments under colonel Robarts and me. But unfortunately the misconduct of the regiment, and the interference of lord Wellington, put an end to his plan; being at last obliged, in spite of himself, to flog the men by wholesale, in order to restore that discipline which he had allowed to fall to pieces. And this was the cruelty of the case, for the only object of punishment is the prevention of crime; but here all the mischief was done before the remedy was applied, and the greater part of the men were punished for offences which they would never have committed but for the encouragement given them. I remember a particular instance of this in three men who were sent to reconnoitre a town occupied by the enemy; as this party did not return, a fresh one was sent out with an officer, who found these men dead drunk in a public house, although the enemy had hardly left the place. No officer I am sure can hear this fact, without considering it as most disgraceful to the regiment, and indicative of its want of discipline; and yet I can state from the authority of the captain of the troop to which these men belonged, and whose merits both in the field and in the management of his troop are universally known, that he considered two out of these three men as the very best in it, and who had conducted themselves in the most exemplary manner previous to the arrival of colonel Quentin; and yet, if strict justice had been done, they ought to have been shot for their crime, as the safety of a whole army is hazarded by such an act.

I am afraid it may appear invidious in me to dwell any longer upon the subject, and particularly as I am sure I have said enough to convince any professional or unprejudiced person upon the subject; but considering the publicity that has been given to this trial, and the strong general feeling which I know exists against the practice of corporal punishment, I feel that in justice to my own conduct, and the system I have pursued, I must not content myself with mere assertions, but state facts, which I flatter myself will entitle me to more credit than any arguments I can use. With respect to my own conduct in the command, although, generally speaking, I never pardoned those who were convicted of offences, yet wherever I could possibly do it without injury to the discipline, I avoided bringing them to trial, or mitigated their punishment in cases where their general good character, or any justifiable reason would admit of it; and it is in this discreet exercise of their power, and not in indiscriminate and ill-timed lenity, that the humanity and feeling of commanding officers are to be found. For instance—I never inflicted corporal punishment upon a non-commissioned officer, considering the degradation from his rank as sufficient; but it appears by the statement produced by my honourable friend, that colonel Quentin made no distinction of this kind, but flogged the non-commissioned officers indiscriminately with the privates. There is another strong instance of the impropriety and inconsistency of his conduct in the punishment of a man who was tried for killing a fowl, although at the same time colonel Quentin allowed others to kill sheep with impunity; upon the trial of this man, I can assure the House, that there was no more legal evidence to convict him of the fact, than to have convicted any honourable member present, insomuch that the Court itself, who thought proper to find him guilty, absolutely recommended the prisoner to the mercy of the commanding officer, upon the ground of the scarcity of evidence against him; and I am afraid I shall hardly be credited in stating, that colonel Quentin after reading this evidence (or rather no evidence) to the whole regiment, his own approval of the sentence, and the recommendation of the prisoner to his mercy by the Court, upon the ground of there being no proof against him, absolutely ties the man up and flogs him.

[The hon. member was here called to order by colonel Wood, who thought the hon. member could hardly justify himself in entering into details which he conceived did not relate to the question before the House, but were injurious to the character and feelings of the officer to whom they applied.]

Colonel *Palmer* continued:—I am very sorry to differ with the hon. member, but must submit to the justice of the House, how far I can be accused of any want of candour to the officer in question. I repeat, and I think I have shown, that nothing could have been further from my wishes than to have troubled the House again upon the subject of this Court-martial, and I have carefully abstained from alluding to any part of the proceedings unconnected with the question; but thus dragged forward as I have been before the House and the public, to answer for my own conduct against a charge brought against me by himself; can it be expected that, out of delicacy to him, I am not to defend myself by every means I can make use of, and which I cannot do more effectually than by exposing the folly and absurdity of his conduct; having good reason to know the effect of all the misrepresentations and ingenuity of his defence upon the trial, and which I own I held too cheap at the time. Nor do I now attack his character in any way but as relating to his want of judgment, as I am far from accusing him of intentional injustice or cruelty in his command; however, I shall only mention one more fact in support of my argument.

In order to check more effectually the disorders in the regiment, lord Wellington issued a warrant for holding general regimental courts-martial for the trial of those offences which the common regimental court-martial was not sufficiently empowered to punish. Some men who were brought to trial before this general Court, were found guilty, and sentenced; but it so happened, that on that very day the account arrived of the restoration of the Bourbons, and upon this joyful occasion the inhabitants of the town interfered, and solicited the pardon of these culprits, which accordingly was promised to be acceded to;—but before the parade could be conveniently assembled for the purpose, some other soldiers were tried by the regimental Court, for minor offences, and these were also found guilty. What does colonel Quentin do in this case? He brings both sets of offenders to the same parade, and after pardoning the greater culprits for the sake of the Bourbons, he flogs the others.

I am very sorry to have detained the House so long, and shall not dwell upon any other arguments which have been urged in support of the motion. I have only one word to say with respect to the objection that is made to the loose wording, and want of proper defining of the charges against men brought to trial; as my hon. friend does not seem to be aware, that although the crime may not be particularly specified in the charge, from the difficulty that often occurs, no injury can thereby arise to the prisoner, as the fact is always explained by the evidence, upon which alone the Court is guided in its opinion, and which evidence, with the whole of the proceedings, are invariably entered upon the regimental books, and at all times liable to be referred to. Lastly, with regard to the further limitation of punishment proposed by the motion, for my own part I think it would be much better to abolish the practice altogether, than prevent Courts-martial from punishing according to the nature and degree of the offence. I conceive that every necessary precaution has been taken on the subject; for whatever may be the extent of punishment awarded to a crime, it is never inflicted but in the presence of the surgeon, to prevent all danger to the life or health of the man. I repeat, that all these amendments, if they are to be called so, in the Munity Bill, and which tend to fetter the means of the commanding officer in maintaining discipline in his regiment, are bad; and, after all, the real comfort and protection of the soldier must rest with him; and if upon every occasion where, from incapacity or whatever cause, a commanding officer is unfit for the charge entrusted to him, such commanding officer were removed, much more real good would be done than by all the regulations that can possibly be adopted.

I will trouble the House no further; but before I sit down, I beg to say a very few words in explanation of a case brought forward by my hon. friend the other evening. I mean that of lieutenant Cowell of the Guards, as it relates to the question of the propriety of admitting the evidence of non-commissioned officers and privates of a regiment to the character of their officers. I perfectly agree with the right hon. the Judge Advocate in the general principle of not admitting such evidence; but under the particular circumstances of lieut. Cowell's case, I think the rule might have been dispensed with,—inasmuch as it was not the fact itself for which he was tried, but the motives attributed to his conduct, that influenced the Court in their sentence; but if the testimony of the non-commissioned officers and privates of the regiment had been admitted as to the conduct of their young officer upon the first and only occasion of his being in action, and when unfortunately he was the only officer present with his company (although it adds to his merit), I can take upon myself to state positively from my own knowledge that the evidence of the whole of these men would have been so highly honourable to Mr. Cowell's character and conduct in that instance, that I am convinced it must have removed all unfavourable impression as to the motives of his conduct upon the occasion for which he was tried.

Colonel *Wood*, in adverting to the system of the 10th Hussars, said, from what he had heard, not only as to the recent condition of that regiment, but as to its past, there was not one in the service more conspicuous for discipline and order. It might be considered invidious to make comparisons between different regiments; but he was informed that the earl of Uxbridge, when he reviewed the cavalry lately, said, that he had long been attempting to make his own regiment, the seventh, the most perfect, but they were surpassed by the tenth. With respect to the motion before the House, he had no doubt the hon. gentleman who brought it forward, was actuated by the most just and humane motives; but he hoped he would also allow that commanding officers might feel as much humanity and compassion for their soldiers. He was ready to admit that corporal punishment might be abolished with the greatest ease in England; but if it were abolished, the consequence would be, that many serious offences, which were now punished by flogging, such as mutiny, for example, would then be punished with death; and it was certainly a matter worthy of consideration to reflect whether it would be desirable to make such a change in our existing military system. With respect to limiting the number of lashes that should be inflicted, on general service, to one hundred, he did not feel himself qualified to speak upon that point, not having seen foreign service; but he believed that such punishment was inflicted as lightly as possible, consistently with the maintenance of that discipline which was necessary in actual service.

Colonel *Pakenham* thought it should be taken into consideration, that the British army was not constituted like any foreign army. In the former there was always the strongest feeling of civil equality, while on the Continent the lower ranks were universally acknowledged as inferior to their officers, of whatever rank. The chief cause of corporal punishment was undoubtedly the sad propensity for drinking. But there was no doubt that the punishment had decreased, not from any orders from head-quarters, but from the high example set by the officers themselves. Nothing could be more just than the system of Courts-martial; all the officers on which swore to administer justice according to their sense of the law and their conscience; and how could it be supposed, if this were not the case, that the men would be so ardent to follow them into danger? This was one of the surest pledges that could be given of attachment between the men and their commanders. He trusted the House would not be influenced in coming to their decision by any thing they had heard respecting the 10th regiment, whose former misconduct no longer existed in it. Respecting the conduct of our army in general, it was exemplary; and on the late invasion of France, it afforded the only instance of an invading army being hailed as a blessing to the nation invaded. The punishment in the navy was four times as heavy as that in the army. He need not advert to this day being the anniversary of the glorious battle of Vittoria, for a practical illustration of the benefit of the system which now governed the army. He should oppose the motion. If the system was bad, let it be overturned; if not, let the officers pursue the mode of discipline which they had been accustomed to administer with so much advantage.

Mr. *W. Smith* thought the House was bound to argue this question on general grounds only. To say that the discipline of the army, as it now stood, was in no need of alteration, was like arguing against any reform in the English law, because the British constitution had brought the nation to what it was. The punishment of flogging was a system derogatory and disgraceful even to boys, and ought not to be permitted in the army, except in cases of the utmost necessity. It had a tendency to make men, already enlisted, degenerate into every thing that was disgraceful, while it prevented others of good character from entering into the army from the fear of being subjected to it. While the officers of the army partook of the enjoyments of the bottle, so much as was common with that class of young gentlemen from which they were taken, he feared they would not be found very proper persons to reform the vice of drunkenness among the soldiery. If corporal punishment were done away, he was of opinion a higher spirit of honour would be kept up in the army than was to be found in it at present, and this would give better security for the good conduct of the soldiery than could be obtained by any other means. The motion of his hon. friend had his most cordial concurrence.

Lord *Palmerston* opposed the motion, as he thought it was not one at all likely to improve the situation of the army. It was necessary, in the military system of this, as in that of every other country, that the power of inflicting certain severe and exemplary punishments in particular cases should exist. The power at present possessed by Courts-martial ought to be continued, not for the purpose of frequently inflicting severe punishment, but to check offences by the terrors of it. That there was no wish to exercise this power unnecessarily, might be satisfactorily ascertained from the orders issued by the Commander-in-chief, and from the established practice of the army. If it were admitted, as he thought it must be, that there was a disposition on the part of the Commander-in-chief, and in the officers of regiments, to limit the infliction of corporal punishment, so far as it could be done consistently with the public service, it would, he conceived, be seen, that it was better to leave it to be exercised at the discretion of Courts-martial, than to abrogate it altogether. The question could not now, as formerly, be argued on the ground of humanity, since it was no longer contended, that it was proper to bring out a man a second time for punishment, but in very grave and serious cases, where a severe example was necessary. The power of inflicting severe punishments ought to remain. The disposition to indulge in spirituous liquors, which prevailed in the English, as in all the northern armies, caused them to be more liable to commit offences than the soldiers of other nations. The Portuguese, and other foreign soldiers in our pay, might, from this circumstance, have been less frequently punished than the English; but it was quite a mistake that they were not subject to the same discipline. The case of the 10th, which had been brought forward on this occasion, was, in his opinion, that of all others which proved the efficacy and beneficial consequences which resulted from the present system, as, by the infliction of corporal punishment, from a state of disorganization it had been restored to the most perfect discipline. He objected to the motion, that in point of fact, it was not one of mercy to the army, as he thought it would lead to the more frequent infliction of the severest punishment—death.

Sir *S. Romilly* represented to the House, that the question before them was not the actual limit of the punishment, but whether it should have any limit at all. When in the last session he had proposed a clause in the Mutiny Bill, limiting the number of lashes to 100, he had been induced to withdraw his proposition by the manifestation of a disposition on the other side, which it now appeared did not exist. At present they might order any number of lashes to be inflicted which they might think proper. Men had been sentenced to receive 5 or 600, and he had heard of an instance in which 1500 had been awarded. It was unjust, and it ought not to be, that they should have authority to doom an individual to greater punishment than God has given him capacity to endure. The reserve on that portion of his sentence which could not be inflicted on an individual without destroying life, it had been customary to deal out (if he might be allowed the expression) by instalments. It was true that the present Commander-in-chief evinced a meritorious disposition to repress the punishment as much as possible, but he might be succeeded by another of different inclination. The milder practice which at present prevailed, was to be ascribed solely to that discussion of the subject, which in the first instance a right hon. gentleman, now no more, had declared would be productive of infinite mischief; but which, on the contrary, had been productive of the greatest benefits. The presence of a surgeon at these punishments, instead of proving their humanity, proved their cruelty, as it showed the danger of the punishment becoming the punishment of death, by the most exquisite torments. He ridiculed the argument of the noble lord, that because the British had a spirit of independence, they should, therefore, be punished in a manner too severe and degrading for the most brutal and ignorant of the species. He cordially supported the motion.

Mr. *Manners Sutton* denied that the object of his hon. friend's measure was to procure some limitation of the punishment. The object of it was to abolish the punishment altogether at home, and to limit it when resorted to abroad. He was sure that his hon. friend and the hon. and learned gentleman would admit, whatever they might think of the proposition, that at least it would occasion a very great alteration in the military jurisdiction of the country. It became necessary, therefore, to inquire, whether existing circumstances demanded so radical a change. It was well known that corporal punishments had within the last years been greatly on the decline. Courts-martial were themselves most anxious to award a different punishment; and the majority of corporal punishments during the period in question had been on the service abroad. With respect to imprisonment, some difficulties had occurred from a want of private cells in prisons; and complaints had been sent to the Horse Guards, of soldiers having been mixed with other prisoners of all descriptions. Sufficient time had not yet elapsed for carrying into execution the measures which had been suggested on this subject. He should be sorry to see this matter interfered with; he believed the reform was at present making its own way better than would be effected by any legislative interference. He could not help thinking that the limiting the number of lashes to 100 would be retaining every thing odious in the punishment, and depriving it of every thing efficacious. It was his firm opinion, that if any limit were assigned to the punishment, the result would be an increased severity, or if not an increased severity, an increased frequency of punishment. The hon. and learned gentleman had alluded to instances of 1500 lashes having been inflicted on one individual. He did not mean to contradict the hon. and learned gentleman; but he had never known of any such punishment having been received, and he thought it had never occurred since he was in office. The court that had awarded such a sentence would have been reprimanded. He was clearly of opinion that it was illegal to inflict part of a sentence at one time, and delay inflicting a part of it till another time. It would be said, perhaps, what remedy was there if such an abuse took place? In answer to this he could state, that he knew an instance of an officer of high rank having been brought to trial for inflicting an arbitrary punishment on a man during a march, when there was not time to wait for a Court-martial; the result was, that the officer was sentenced to be cashiered; and, notwithstanding all the representations which were made in his behalf, and notwithstanding the propriety of his motives was never called in question, the Crown was advised to let the sentence take its course. It had been said that there were instances of part of a punishment having been inflicted, and of the remainder having been used as a means of extorting a promise of entering into other regiments. He knew that it was customary to give an option of undergoing the punishment, or of commuting it for service in other regiments, and there could be no objection to this; but he was ignorant of any cases of extorting a promise of service after the half, or any part of the punishment, had been once inflicted. He conceived that the making a distinction between the punishment abroad and at home, would lead to an invidious comparison extremely injurious to the service.

Mr. *Forbes* said, that during a residence of twenty years in India, he had always observed that in those regiments where there was the most flogging, there was always the least real discipline. Drunkenness was certainly a dreadful vice, and led to almost all others. But what would they say to a system which first encouraged drunkenness, and afterwards punished it? He was sorry to say that a practice had long been prevalent in India, though it was less so now than formerly, of the commander of regiments admitting grog shops to be kept for his benefit, a certain proportion of the profits having been paid to him by the persons who kept the shops. The consequence was the most dreadful intoxication; and half a dozen of punishments had sometimes been inflicted in one morning for the very vice which was so encouraged. In one regiment, which he would not name, this abuse was carried to such a length that the officers of corps were determined to take it up. On the matter being represented to the commander of the forces, he declined interfering, as, although he did not approve of the practice, it had been usual throughout India. The consequence was, that most of the officers were obliged to leave the regiment, and those who remained were tried for combination, and one after another cashiered. He could vouch that in India the same man was brought out repeatedly to receive the punishment inflicted by one sentence. He approved of the limitation proposed.

General *Hart* had inspected several regiments, and never observed any insubordination to have arisen from the present practice; on the contrary, he was sure it was often repressed through the terror of this species of punishment.

Mr. *Abercrombie Robinson* said, that from 1786 downwards, he would venture to say that in the Bengal establishment the practice of commanders of regiments benefitting by the sale of liquors was altogether discouraged.

Sir *F. Burdett* hoped his hon. friend would bring the subject forward early next session, when there should be a more full attendance of the House than at present. With respect to the melancholy and black catalogue which formed the groundwork of the speech of his hon. friend, it was a document which was deserving of the utmost attention. He had at different times himself moved for the black books of regiments, but they had always been withheld. The account of the gallant colonel Palmer was not one which gave him the highest idea of his judgment. The system which he pursued in opposition to that of colonel Quentin, appeared to him as cruel as it was inefficient. For what had been the effects of these dreadful punishments? The system had been going on for eighteen months, and the punishments were as many in the last as in the first month. His hon. friend objected to this punishment—first, because it was brutal, inhuman, and disgraceful; and next, because it was altogether inefficient. Nothing could justify such a punishment but necessity, and the opponents of his hon. friend could show no necessity. In all other armies but our own, or at least in most of them, no such necessity existed. No man would deny that punishment, and even severe punishment, was necessary; but was there no other fit punishment but that of stripping a man naked, tying him up to the halberts, and treating him like a beast? He opposed flogging because it was disgraceful to human nature. In the case of the surgeon, science was applied to see whether the last pulsation had yet beat—whether an addition could yet be made to the punishment—whether another pang might be given to the victim. This punishment was a national disgrace. In the Russian army, which was the next in severity to our own, this mode of punishment was not resorted to, and was considered disgraceful to humanity. Why should the British soldier be alone liable to this ignominious torture? A noble lord (Palmerston) had accounted for it by observing, that there was something in the constitution of the country that made its natives so sturdy and high-minded, that it was absolutely necessary that these noble qualities should be flogged out of them by the cat-o-nine-tails before they made good soldiers; but surely the noble lord would not persist in an argument, the tendency of which was to show that the nearer a man approached to divinity, the more fit it was to treat him like a beast—[Hear, hear!] It could not be denied that our ancestors possessed as strongly the love of independence as their successors, yet military flogging was unknown among those who had achieved the greatest triumphs the nation had to boast. Military flogging was of modern introduction, and its justification depended upon arguments that would never have been heard at any other time. The capriciousness with which this punishment was inflicted, was another reason for its abolition: it depended entirely upon the will of the officers, and that was guided by no rule, and governed by no scale; it was necessary that some restriction should be placed upon it—so thought the Commander-in-chief, who had sent round a regimental letter to effect the purpose, which, however, had not received the attention it deserved. It was now, for the first time, acknowledged by the Judge Advocate, that the infliction of a sentence at two or three different times was illegal; yet it was an abuse that had long prevailed, and had been the instrument of unheard-of cruelties. It was a singular fact, corroborated by the speech of the hon. colonel (Palmer), that in those regiments where these corporal inflictions were most frequent, the discipline was the most lax; and no small praise was due to colonel Quentin, that, considering what had been the state of the 10th regiment, he had now placed it upon a footing so admirable. To show the excess to which military flogging had been in some cases carried, the hon. baronet referred to certain proceedings at Gibraltar many years ago, when a new instrument was introduced, which would kill a man in 80 lashes, and for not employing which several officers were dismissed the service, though afterwards they were reinstated. He contended, that punishment was frequently rendered necessary by the inadequacy of pay and rewards in the army, which occasioned the men to be discontented with the service, often to disobey, and sometimes to mutiny. With regard to the argument of the Judge Advocate, that the flogging of soldiers was necessary for the sake of humanity, lest something worse should be introduced, he could only apply what a Frenchman, under the old *régime*, had said against the abolition of breaking on the wheel,—that his nation was accustomed to that mode of punishment, and would not be satisfied or quiet without it, lest some greater cruelty should be invented and employed.

Mr. *Babington* thought, that as the punishment was now administered in a milder manner, there was no occasion for the present motion. It was far better to leave the army to those who had the government of it, than to proceed by a legislative provision, which he did not conceive would prove effectual.

Sir *Edward Buller* denied, that any officer of the navy would take upon himself to discharge a man, without the authority of his commander-in-chief.

Sir *F. Burdett* explained, that he had made no such assertion, but had merely said, that when a man had been flogged in the navy, he was able immediately to return to the execution of his duties.

Mr. Bennet replied. After which the question was put, and negatived without a division.

HOUSE OF LORDS.

Thursday, June 22.

Duke of Wellington.] Earl *Bathurst* gave notice, that to-morrow he would move the Thanks of the House to the duke of Wellington, and to the officers and men under his command, for the signal victory obtained on the 18th of June, which had exalted the military glory of the country, protected from spoil the territory of his Majesty's Allies, and largely contributed to the preservation of the liberties of Europe. The Earl of Liverpool presented a Message from the Prince Regent [see the Commons], and moved that it be taken into consideration to-morrow. Ordered. It was also ordered, that the House should be summoned.

HOUSE OF COMMONS.

Thursday, June 22.

EARLY DELIVERY OF LETTERS.] General Thornton moved, "That there be laid before this House, from the General Post-office, a return of the number of persons paying for an early delivery of letters, with the amount paid within the year, and the disposal thereof, made up to the latest convenient period; with a statement of the length of time the common delivery is usually retarded or accelerated by such practice, and the usual difference of time between the two deliveries, with the date of the commencement of individuals paying for such early delivery, and under what authority it has been carried into effect; together with such information with regard to the Superannuated, or any other charitable fund, as may be connected with the said Return."

The motion was immediately negatived.

ASSIZE OF BREAD.] Mr. *Frankland Lewis* rose to call the attention of the House to the Report of the Committee appointed to inquire into the present state of the laws connected with the assize of bread, and said that it was his intention to conclude by moving for leave to bring in a Bill to repeal those laws, so far as they affected the assize of bread in London, and ten miles round. It was the opinion of the Committee, who had most attentively and most laboriously examined the subject, that the operation of the Assize laws tended rather to increase than diminish the price of bread. That such must be their effect, indeed, might be proved either by comparing the price of bread with the price of wheat, by comparing its price in those places where the assize prevailed, with what it was where no assize existed, or considering what must be the consequences from the construction and operation of the law. The hon. member, after showing, by a variety of facts, the truth of this effect, moved, "That leave be given to bring in a Bill to repeal the Laws relating to the Assize of Bread, in the city of London, and within ten miles of the Royal Exchange."—Leave was accordingly given.

PRINCE REGENT'S MESSAGE FOR ADDITIONAL PROVISION FOR THE DUKE OF WELLINGTON.] Lord Castlereagh presented the following Message from his royal highness the Prince Regent:

"GEORGE *P. R.*

"The Prince Regent, acting in the name and on the behalf of his Majesty, having taken into his consideration the most important and glorious victory obtained by field-marshal the Duke of Wellington over the French army, under the immediate command of Buonaparté, on the 18th of this month, is desirous of manifesting the sense entertained by his Royal Highness and the country of this signal and splendid achievement, which has added fresh renown to the British arms, and which cannot fail to be productive of the most essential advantages to Europe.

"The Prince Regent therefore recommends to his Majesty's faithful Commons, to enable his Royal Highness to grant such additional provision to field-marshal the Duke of Wellington, as shall afford a further proof of the opinion entertained by Parliament of the Duke of Wellington's transcendant services, and of the gratitude and munificence of the British nation.

"GEORGR *P. R.*"

Lord *Castlereagh* moved that his Royal Highness's Message be taken into consideration in a committee of supply to-morrow; on which day also the noble lord said he should have to propose the Thanks of that House to the Duke of Wellington, and his brave officers and soldiers. [Hear, hear!]

CONFINEMENT OF OFFENDERS IN THE HULKS.] On the motion for going into a committee on the Bill to amend the Laws relative to the Transportation of Offenders,

Mr. *Holford* rose and said:

Sir;—The Report, which I hold in my hand, presented in 1812, at the close of the last Parliament, and reprinted at my suggestion last year, for the use of the members of this House, was framed by a committee which bestowed a good deal of attention on an inquiry into the Hulk Establishment, and recommended important changes in the system of management then pursued.

I am not aware that any material alteration has since taken place in the manner in which the hulks are conducted; and although my right hon. friend, the

Under Secretary of State for the Home Department (Mr. Hiley Addington), when he introduced the present Bill into the House, spoke of this Report in terms of approbation, his Bill is not calculated, in its present shape, to carry into effect the arrangements which the committee of 1812 have suggested for the better management of the convicts.

That committee recommended such a mode of fitting up the vessels used for hulks as should allow of the separation of the persons confined into many divisions, or classes, and as should place them within the reach of inspection at all times; it recommended effective superintendence, by a person to reside at each port or place, in the neighbourhood of which hulks should be stationed; it recommended that an account should be kept of the earnings of the convicts, and that full employment should be found for them; and these recommendations form the basis and groundwork of every material improvement suggested in the Report. In the Bill now before the House there is no provision to secure or facilitate the adoption of any of these suggestions; nor is there to be found in it, from the beginning to the end, any expression which recognizes the expediency of adopting them; the Bill, as it now stands, only establishes by law the system already pursued, changing the names of some of the officers employed.

Under these circumstances I shall take this opportunity of making some observations on the state and condition of the convicts on board the Hulks, and of pointing out, as distinctly as I am able, to the attention of the House, the nature and extent of the evils which appear to me to require a remedy.

On the subject of imprisonment on board the Hulks, considered with reference to the conduct of the persons confined there, and to the effects of such confinement upon the moral character of the prisoner, very different opinions appear to be entertained. Mr. Graham, the late inspector, who, from his respectability, and means of information, would speak upon this subject with a degree of weight and authority that could hardly be resisted, if we did not know how prone men are to look with partial eyes upon the effects of systems and establishments which have been long under their own direction, thinks, that the convicts behave well on board the Hulks, and that their morals are improved there; and, if this opinion has not been adopted to its full extent in the Secretary of State's office, it has, I fear, made such an impression there, as to have created doubts in that quarter of the necessity of any material change in the existing arrangements; and an hon. gentleman, who usually sits on the other side of the House, but whom I do not now see in his place, who does not often err, by attributing too much merit to any department of his Majesty's government, has taken an opportunity, upon a recent occasion, to give the support of his unqualified approbation to the manner in which the Hulks have been managed of late years. The public believe that these vessels are scenes of disorder, and schools of vice, where every spark of goodness that may yet remain in the breast of the offender, must be extinguished, and many a prisoner has been matured in vicious knowledge, and trained up to deeds of greater outrage, than those which originally brought him under the censure of the law. In conformity to this opinion the committee of 1812, in speaking of the general effects of the existing arrangements, have stated in their Report (a report, be it remembered, not founded upon the testimony of persons complaining of wrongs, and seeking to excite sympathy by exaggerated representations of their own sufferings, but resting upon the evidence of the officers belonging to the Hulk Establishment) that "they cannot but consider the situation of the convicts imprisoned on board the Hulks, upon their present plan, as one from which these persons must be expected to return into society with more depraved habits and dispositions than those with which they went into confinement."

The committee, however, did not recommend that this establishment should be discontinued; on the contrary, they were of opinion that the existing evils might be lessened, if not entirely removed, by alterations, the outline and principles of which are suggested in the Report. They were sensible that these Floating Prisons possess two very great advantages over every other place of confinement: First, that of being, beyond all comparison cheaper than any building which can be erected, for the same purpose, on shore; and, secondly, that of being moveable from place to place. A vessel, which would not be worth more than 3,000*l.* or 4,000*l.* to break up, may be converted into a suitable abode for some hundreds of prisoners for 5,000*l.* or 6,000*l.* more, making, in the whole, 8,000*l.* or 10,000*l.* while a place of confinement could not be provided for the same number on land, under many times that sum. The capability of being transferred, as occasion may require, to any port or place, accessible by water, is a convenience, of which it is hardly possible to calculate the value, with reference to the employment of the convicts, there being always a demand for that description of labour in which these persons can most usefully be employed in the neighbourhood of the navigable rivers and harbours of this country; particularly in the great public works carried on in the Naval and Ordnance Departments.

But in Hulks, as in any other places of confinement, great evils may prevail from defective arrangements, or under an imperfect system of management; and I think I shall be able to satisfy the House, that, owing to these causes, and these causes only, great evils have prevailed in these prisons, from the passing of the 24th Geo. 3, (the Act under which the Hulk Establishment is still regulated) up to the present time.

By this statute the management of the convicts is placed in Overseers appointed by the Crown, who are to feed, clothe, and employ the prisoners in such manner as his Majesty shall direct. There is no mention of any salary in this Act; the overseers first appointed having contracted for the safe custody of the convicts, as well as for their food and clothing, found the vessels in which they were confined, and all the officers and servants connected with the establishment, deriving the whole emolument of their office, as overseers, from the profits of their contract, taken at so much a head for each individual committed to their charge. The consequences of this arrangement, formed in opposition to the most obvious principles and maxims of prison management, were such as ought to have been foreseen; the convicts were ill treated, and a great mortality having taken place on board the Hulks at Portsmouth, in the beginning of 1802, the complaints upon that head became so loud as to force themselves upon the attention of Government, and a commission was sent down to Portsmouth, to inquire into the condition of the convicts at that place, by lord Pelham, then Secretary of State for the Home Department. Many abuses were pointed out, and a strong observation was made on the obvious impropriety of allowing the contractors to manage the prisoners by servants of their own, in a report made by the two gentlemen to whom this inquiry was committed, viz. the late sir Henry Mildmay, and Mr. Neild, also since dead. I cannot mention the name of Mr. Neild, in this House, without remarking how much the public is indebted to that gentleman for many years spent in examining and inspecting the state of the different gaols and places of confinement in this country, in the course of which investigation he corrected, by his suggestion and advice, many evils and abuses, and brought together much useful information, which he has left behind him, to prepare the way for further improvement, in the laborious and valuable publication that bears his name.

A short time after this Report was given in, viz. in March 1802, Mr. Graham was made Inspector of the Hulks, under a clause in the 42nd of the King, authorizing such an appointment. It is a mistake to suppose that this statute transferred the management of the convicts from the contractors to this new officer; it made no change whatever in the government of the Hulks, it only enabled the Crown to name an Inspector, who was personally to visit each place of confinement, to which his inspection extended, at least once in every quarter, to examine into the behaviour and conduct of the officers, the treatment and condition of the prisoners, the amount of the several earnings in every such place of confinement, and of the expenses attending it. On these particulars he was to report to both Houses of Parliament, at the commencement of every session, and in matters of pressing necessity, he might report specially to the Court of King's-bench. These were all the duties imposed or authorized by this Act; and the Inspector was to receive, for the performance of them, a salary not exceeding 350*l.* per annum for himself, a clerk, his travelling expenses, and all other charges incurred in the execution of his office.

In the instrument by which Mr. Graham was appointed inspector, under this Act, he was directed to send copies of all his reports to the Secretary of State's office; and from this practice has arisen the connexion of that office with the inspector, and the present system of management.

Mr. Graham concurred in opinion with

the gentleman to whom I have alluded, in respect to the inexpediency of permitting the Contractors to find the officers and servants employed on board the Hulks; and having farther recommended that the Government should take upon itself the care of providing the ships required for the confinement of the convicts, and should limit the agreement with the Contractors to the supply of their food, clothing, and other articles wanted for their use, he was employed by the Secretary of State to superintend the fitting-up of proper vessels, to recommend officers and servants, to draw up rules and regulations for their conduct, and for the treatment of the prisoners; to keep and audit all the accounts of the establishment, and to exercise, in the fullest manner, all the powers of superintendance and management; and all this Mr. Graham continued to do, from the time when his recommendations were adopted, until the Report of the Commitee of 1812 was laid upon the table of this House, without receiving any regular appointment for this purpose, or any other emolument than the small salary which had been assigned to him, under the 42d of the King, in 1802, for the comparatively trifling duties required from the inspector, under that statute. I understand that, after that Report was printed, a regular appointment was made out to Mr. Graham, as overseer, under the 24th Geo. 3, in lieu of that which he had held as inspector, and I presume a proper salary was then granted to him in his new character. He has now ceased to have any connexion with the Hulk establishment, having very lately resigned the situation of overseer.

I readily admit that many very useful rules were made, for the regulation of the Hulks, by Mr. Graham; and that the system of management, which grew up while they were under his superintendence, is far preferable to that which preceded it.

In respect to the health of the convicts, to their supply of food and clothing, to their protection from acts of cruelty or oppression on the part of those set over them; the arrangements now existing are, as far as I know, satisfactory. In two points only, but they are points of primary importance, is the system still open to censure; in what regards the moral condition of the prisoner, and in the arrangements connected with his employment.

In every Hulk, with the exception of the Edgar, of which I shall have occasion to speak separately, the prisoners on board the vessel are all necessarily distributed into three, or at most four, decks, or divisions of the ship, after the hatches are closed; from this time, till the convicts are let out in the morning, (a period which comprehends in the winter season, in the dark days, near sixteen hours out of the twenty-four) there is not among them any officer or servant belonging to the establishment: and as the decks of the ship are of very unequal sizes, more than two hundred criminals, of different ages and descriptions, are often thus locked in together, during this long period, to follow their own inventions, without inspection or control.

I must be allowed to express my astonishment that any person who has ever bestowed his attention for a moment on this subject, can have hesitated to reprobate such an arrangement; the secrets indeed of the prison-house none can tell but those who inhabit it, and they are, unfortunately, of a description which renders their testimony of little value. I admit also, that they have frequently a strong inducement to give exaggerated accounts of what passes among them, for the purpose of creating an interest in their favour, and of stimulating their friends and relations to endeavour to procure their removal, by a pardon, from the scenes of vice and profligacy which they describe; but, (to omit all reference to practices which rumour imputes to the convicts, and the existence of which, those who are the most disposed to doubt or disbelieve the charge, can never hope, while the Hulks continue in their present state, to disprove) can any testimony be wanted to convince us of the prevalence, under the circumstances which I have stated, of swearing, gambling, and every kind of vicious conversation, or of the exercise of much oppression and tyranny by those who are most daring and profligate, over the rest?

It appeared by the evidence of the captains of the Hulks, who were all examined by the Committee, that the convicts did not dare to complain of ill-treatment from each other; the captains acknowledged that they themselves could not venture to disclose the names of individuals from whom they received information of what passed among them; and so strongly was the danger of disclosure felt in one of the Hulks, that it seemed to be the practice on board that Hulk to inflict punishment for offences committed below, without bringing forward the informer in support of the charge. It was also evident that in some of the ships neither officers nor guards (not even the captain himself) could have gone down with safety among the convicts after the hatches were closed.

The captain of the Portland, at Langston Harbour, stated, that the practice of coining, viz. of beating out half-crowns into sixpences, had gone on for many years on board his vessel, and that he had himself taken thirty-nine of these sixpences from one of the convicts, at one time: they now coin copper at Sheerness, and it is some aggravation of the offence that the metal of which the false money is made is stolen from the King's stores. I am also informed, that in some of the Hulks, there is, a manufactory of what are called skeleton-keys, made for the purpose of opening locks: and one of the chaplains stated to the Committee, in 1812, from his own knowledge, that, in the Hulk to which he belonged, indecent toys were manufactured from bones for sale.

The Committee examined the three chaplains at that time attached to the Hulks, on the moral conduct of the convicts. The chaplain of the Zealand, then stationed at Sheerness, gave a very unfavourable account of the prisoners on board that vessel. The chaplain of the ship at Woolwich disclaimed all knowledge of individual convicts, or of their general conduct: it appeared that the prisoners in that Hulk behaved in a quiet and orderly manner during the performance of divine service; but this the chaplain very properly attributes, in one of his Reports, to the vigilance of the officers; since he performed the service under circumstances which did not admit of his being either seen or heard by the greater part of his congregation. I should state that this ship, (which had not been fitted up by Mr. Graham, but had been continued from the time of the Contractors, having been purchased from them) is not now used as a Hulk, having been condemned as quite worn out soon after the Report of 1812 was presented.

The chaplain who had the charge of the Hulks at Portsmouth and Langston Harbour, spoke of the convicts under his care in terms which, if the Committee could have given implicit credit to his representation, would have been very satisfactory; but it was quite clear to all the members of the Committee who heard his examination, (and will be so to every one who will read their report) that the opinions of this gentleman were given in conformity to his wishes, instead of being founded on any knowledge which he possessed of the general conduct or disposition of the convicts; and that, in fact, he could know little more of these men than what he saw when they attended divine service. I believe that this gentleman preached impressive discourses, and I am willing to give credit to what is related in one of the papers attached to the Report on the table, that half his congregation have been seen in tears at one time, at his sermon; but I desire the House to consider how long, if this were the case, these good impressions were likely to have lasted, in the present state of the Hulks, and what must have been the situation and sufferings of the men who were thus seen weeping with contrition in the morning, when they found themselves shut down, without protection, at night among their profligate companions. Are we yet to learn, that it is sport to men, hardened in a long course of iniquity, to turn the signs of repentance and remorse into ridicule, and to disturb the good resolutions, and wound the feelings of those of their comrades, round whose hearts the callus of vice is not yet completely formed?

The Committee of 1812, feeling strongly the evils to which I have endeavoured to draw the attention of the House, consulted the Commissioners of the Navy on the practicability of fitting up a Hulk in such a manner as would allow of the separation of the convicts into many companies, or classes, and of their being inspected at all times. In consequence of the communications which took place between the Committee and the Navy Board on that occasion, the Navy Board furnished the design of a vessel, fitted up for the reception of prisoners, which is annexed to the Report upon the table; and soon after the Report had been printed, the Hulk stationed at Woolwich having been condemned as unfit for further service, a new one was fitted up in conformity to that design, and placed at Sheerness, the Hulk then in use at that place being transferred to Woolwich. This Hulk, the Edgar, has now been occupied by the convicts for more than a year; I saw the vessel at Chatham while it was fitting up; and I have lately (about a month ago) visited it at Sheerness, that I might learn how far it had answered the purpose for which it was intended. It contains forty-two apartments, or cells, for convicts, eighteen on the lower deck, and twelve only in each of the middle and upper decks, (the space required for the chapel being taken out of those decks) and it has a passage along each deck running between the two rows of cells, and divided from the cells by iron railings. There are now from four hundred and thirty to four hundred and forty convicts on board this ship; it would still be a cheap prison, if only half that number were contained in it. In my late visit to Sheerness I examined every part of the vessel, while the convicts were out of their cells; and I afterwards went with the officers, some hours after the hatches had been shut, (between eleven and twelve o'clock at night) through the several passages, and into some of the cells, where the convicts had not yet retired to rest; I found nothing offensive, no closeness or want of air; and, although I will not presume to say, that further improvements may not be suggested in fitting up the other Hulks, I do not hesitate to assert (and in this I believe I shall be supported by all who have seen the ship) that the Edgar, as now constructed, is liable to no objection, as far as relates to the health or reasonable convenience of the convicts.

If I am asked what advantage has resulted from this new method of fitting up a Hulk, I am compelled to answer, that very little benefit has been yet derived from it, owing to great mismanagement: on the third night after the convicts were placed on board, those on the lower deck tore down the bars which divided their cells from the inspection passage; and, forcing their way through hatches not properly secured into the upper decks, induced the convicts confined there to join them, and put an end for a time to all separation: there were, when this happened, no guards in the inspection passage; nor does it appear, that any attempt was made to control this violence at the time, or to punish or discover the ringleaders afterwards; on the contrary, the men were told, that they had now done enough, and might as well be quiet; and from that time to this, though the iron bars have been replaced, the cells are left open, unless the prisoners themselves choose to fasten them, which, when they have visited their companions as long as they think fit, and are disposed to retire to rest, they generally do. When I went down, I found most of the cell doors fastened by the convicts, with chains and padlocks of their own. The House will not be surprised, that the convicts should have endeavoured, in this manner, to get rid of the practice of confining them to their cells, or that the attempt should have succeeded, when I mention a fact, connected with the state of discipline on board the ship. Up to the time when I visited Sheerness, beer was sold in the Hulk, by night, as well as by day, to the convicts, with the connivance, I was going to say, but in truth, with the sanction, and by the authority, of the captain; and, if I am not greatly misinformed, for his profit. I also believe, that the means which the convicts possess of purchasing this beer, have been in general derived from the plunder of the dock-yard. The captain of the Hulk endeavoured, when I was at Sheerness, to persuade me, that the convicts did not steal more than to the amount of 30*l.* or 40*l.* from the dock-yard in the course of a year; but I have to state, in opposition to this assertion, that, in a search made by the police, on board the Edgar, in February last, stolen articles were actually found in the convicts' boxes to the value of more than 30*l.*, the particulars of which are enumerated in a list, which I hold in my hand, and which was enclosed in a letter of complaint from the Commissioner at Sheerness to the Navy Board. It must be recollected, that the purpose for which these men steal, is not to lay up hoards, as a provision for their future support, but to procure the means of gratifying their present appetite for liquor; and if plunder to the amount of 30*l.* has been discovered in their possession at one time, it may be fairly presumed, that the annual loss by their depredations should be estimated at a much larger sum.

My right hon. friend, the Chancellor of the Duchy of Lancaster (Mr. Bragge Bathurst), who takes the charge of this Bill, in consequence of the illness of my hon. friend who brought it in, will probably tell the House, that the captain of the Hulk alluded to has been dismissed, since I was at Sheerness; and that matters will now go on better than heretofore. I know, that captain Darling has been dismissed, and I do not mean to deny, that this would have been the case, if I had not visited Sheerness; for it happened that the new Inspector, Mr. Capper, arrived at that place, while I was there; and on my mentioning to him the information which I had received, concerning the occurrences which I have stated, and pointing out the parties who could prove the facts, I found that he had a clue to the same discovery; but why are we to believe that matters will go on satisfactorily in future under the same system of management? I should here remark, that these disorders have not arisen during an interregnum between the resignation of Mr. Graham and the appointment of his successor; the disturbances by which the convicts obtained the liberty of keeping their cells open or shut at their pleasure, took place above a year ago; the account of the stolen property found in their possession was transmitted to the Navy Board in the beginning of February, long before Mr. Graham resigned; and the beer was sent into the Hulks, according to my information, upon the day on which he quitted Sheerness. I do not quarrel with the compliments paid to Mr. Graham on both sides of the House; he is a gentleman of known integrity, and great intelligence and ability; he has framed many good regulations for the Hulks; and I really believe, that he has done more, in his occasional visits, towards keeping many parts of that establishment in good order, than most men could have effected under similar circumstances. I do not complain that Mr. Graham has not been able to see or hear from his residence in London what was going on at Sheerness, at Woolwich, and at Portsmouth; but I lament that, with no sufficient means of information on this subject, he has been nevertheless considered as exercising an effective superintendence over the Hulk establishment. It must be obvious, as the case now stands, that in proportion as the merits of the individual are acknowledged, the efficiency of the system to preserve the establishment in a proper state, must be given up; and I contend that I am fully justified by the circumstances and occurrences which I have stated, in pressing upon my right hon. friend the necessity of having an assistant, or deputy superintendent, at each place where Hulks shall be stationed.

There are, however, other duties connected with the management of the convicts sent to the Hulks, besides that of inspecting their treatment and condition on board the ship, which might, not inconveniently, be performed by an officer of the description proposed; and of which the due performance (though they are not now executed at all) will, I think, appear to this House to be of considerable importance; I allude particularly to the propriety of keeping accounts of the convicts' earnings.

When the 42d of the King was passed, authorizing the appointment of an Inspector, who was to report to Parliament (among other particulars) the several earnings and expenses of the places of confinement, to which that statute related, it must, I think, have been in contemplation, that some accounts should be kept in which the amount of those earnings might be found; and many gentlemen will probably be surprised to learn, that, under the system now pursued, there is no account kept of the value of the convicts' labour, nor any valuation taken of the work executed by them. Returns are regularly made, from each Hulk, to the Inspector, of the number of convicts sent on shore, and of the particular kinds of work in which they are employed, distinguishing the number employed in each; and from these returns is made the calculation in the Report, which says, that, if the daily labour of a convict artificer is valued at 1*s.* 6*d.*, and that of a labourer at 1*s.*, the collective earnings of the men employed from all the Hulks, since the last Report, amount to the sum there stated. This is not an account, but an estimate; and it is an estimate founded on very erroneous principles. It does not enable us to ascertain, whether the profits of the convicts' labour have been duly brought to account, on behalf of the State, in any public department; nor does it furnish us with the means of instituting any comparison concerning the diligence exerted in keeping employed a greater or less proportion of the convicts belonging to different Hulks, or of forming any judgment in respect to the degree in which the services of these persons are valuable, at the several places where the vessels are stationed. It appeared, from answers returned to questions sent by the Committee of 1812 to the different dock-yards and places where the convicts had usually been employed, that the labour of a convict, compared with that of a labourer working for hire, is considered of much more value at some places than it is at others; at Woolwich it is estimated to be nearly equal to that of a paid labourer; at Sheerness, the work of a convict is deemed equal to about two-thirds of that of a person labouring for pay; in Portsmouth dock-yard to one-third; and in the Ordnance department at Portsmouth to only one-fourth. If there be any approach to truth in these statements, the calculation in the Report annually presented to this House, which puts an abstract value on the services of the convict, without considering where he is employed, is obviously incorrect: it is impossible not to suspect, that where the labour of the convict is least valued, the arrangements made for employing him are very defective; but it is impossible to draw correct conclusions without actual accounts.

There is another purpose, for which actual accounts are wanted, viz. that a part of the convicts' earnings may be appropriated to their own use, as an incentive to industry and good behaviour; and that a per-centage on the profits of their labour may be assigned to some officer appointed to see that they have employment.

Of the propriety of giving some encouragement of this kind to the convicts (especially during the latter part of their imprisonment), I think little doubt can be entertained. At present they have allowances of beer and tobacco at all the places where they are employed, except Sheerness, different at the different places, the amount of these allowances being determined by the departments in which they respectively work, and no officer connected with the Hulks having any thing to do with this arrangement. For these allowances to the convicts, it would be proper to substitute a portion of their earnings upon the condition of good behaviour, retaining a part of what should be so allotted to them, until their imprisonment should expire. It is not particularly desirable to provide for the immediate gratification of these men; it should rather be our object to teach them the advantage to be derived from the accumulation of small daily or weekly gains, and to create in them, if possible, a habit of dwelling with satisfaction upon the gradual increase, from their own industry, of a fund for their future use.

The allotment of a per-centage on the value of the convicts' labour to any of the officers of the establishment has been vehemently objected to, on a supposition, that the convicts would become discontented, if they believed that any person connected with the management of them shared their earnings with the public. If I thought it likely to produce any such effect, I should say, that the regulations made for the treatment of persons in their situation, though framed with a view to their welfare and advantage, are not intended for their pleasure; but if discontent on the part of the convicts is apprehended, and ought to be guarded against, I beg to ask whether there is not now much more cause for feelings of dissatisfaction among these persons upon the subject of their labour, than any which could arise from the measure now proposed. Do not a few tailors and shoemakers, and mechanics, now earn for themselves considerable sums of money on board the ship, while the labourer (who works hard on shore in the service of the public, and returns to the vessel in the evening incapable, from fatigue, of doing any work on his own account, even if he should possess the necessary skill for that pur-purpose) derives no pecuniary advantage from his labour? There is an instruction in the regulations framed by Mr. Graham for the captains of the Hulks, that all the convicts should be sent on shore to labour in their turn; but it was admitted, when the captains were examined in 1812, that this rule was not observed. I do not assert, that particular convicts are kept on board the ship and allowed to work for themselves, by partiality, or from the influence of money; but I am convinced, that it would be impossible, as the Hulks are now conducted, to satisfy the convicts that this is not the case.

It has been sometimes apprehended, that a per-centage on the earnings of prisoners might induce the persons, to whose charge they were committed, to overwork them, or task their exertions too severely; but I do not believe, that this apprehension will be found justified by experience; there is, indeed, a danger of an opposite nature, against which it may be necessary to guard, in making arrangements on this head; namely, that an officer having too great an interest in the earnings of those under his care, might fail to pay due attention to moral discipline, upon occasions on which it might be likely to interfere with the profits of labour, and that in such a case partiality might be shown, or undue indulgence granted to a good workman; it would, therefore be unadvisable to make the whole emolument of a person superintending the convicts dependent upon the amount of their earnings, as he might thereby be tempted to walk or look another way, when the convict was swearing or gambling, or committing offences against propriety and decorum, instead of taking a useful hand from employment, in which his labour would be profitable, to punish him by heavier irons or confinement: the principle, however, of giving some stimulus to an officer connected with the management of prisoners to attend to the employment of them, in the shape of a per-centage upon their earnings, (a principle sanctioned, if not introduced, by the 19th of the King, a very high authority on the subject of prison management) has been long acted upon with the best effects in most of the gaols and places of confinement in this country, in which labour is turned to account: there is, moreover, a particular reason for adopting it in respect to the convicts belonging to the Hulks; if actual accounts are to be kept of the earnings of these men in the different departments in which they may be set to work, the persons concerned in framing such accounts must be the officers of these departments, and some officer acting on behalf of the Hulks; the former will have an obvious inducement to put a low value on the labour employed, it being for their credit, that the works done under their direction for Government, should appear to have been executed at the lowest possible charge to the public; it is, therefore, desirable, that this disposition to undervalue should be in some degree corrected by an opposite interest in the party valuing on behalf of the Hulks, which may operate to keep up the valuation to its just amount.

To this assistant superintendent might also be committed the care of seeing, that all the convicts were employed on the public account. It is extraordinary, that it should not hitherto have been the business of any person connected with the Hulk establishment, to find employment for the convicts. The captain of every Hulk is directed by one of the existing regulations, to send all these men on shore to work, when the weather will permit; but it is evident, that this direction cannot properly be obeyed, unless there shall be the means of employing the whole number, when they are landed, which is not always the case. In fact, the captain sends on shore the number specified in a requisition, which he receives daily from the yard in which they work. I conclude, that the officers belonging to the different yards where Hulks are stationed, are instructed to avail themselves of the services of these men; but it can hardly be expected, that those officers should bestow much of their time in looking out for work for this class of labourers, or should consider the employment of them as a primary object of their attention; it must therefore frequently happen, that a large proportion of the convicts are unemployed.

In the year 1811, (the latter of the two years to which the inquiries of the Committee of 1812, were particularly directed) the number of convicts on board the Hulks at Portsmouth, Sheerness, and Woolwich, was 1564; and the average number employed at those places during that year (on the days on which convicts worked) was only 831; so that 733 were left in the Hulks without employment; a much larger proportion of the whole number than can be supposed to have been sick, or infirm, or wanted for ship's duty, on board the four Hulks. It should also be observed, that every week-day is not, with the convicts, a working-day; for, as there is no employment found for them under cover, they are prevented from working by bad weather; and from some of the Hulks it is not thought safe to send them on shore in dark and foggy days. The fact, that the most is not made of the labour of the convicts, is put beyond all doubt by the statements given in the Report of the Committee of 1812, concerning the estimated value of their services during the year 1811, founded on returns, made to that Committee, from the several places where Hulks are stationed. According to these returns, the total value of the earnings of the convicts at Portsmouth, Sheerness, and Woolwich, in that year, was 24,447*l.*, of which sum, the earnings of the convicts at Woolwich alone, (460 only in number) amounted to no less than 14,751*l.*, leaving 9,696*l.* for the earnings of the 1564 convicts belonging to the four Hulks stationed at Portsmouth and Sheerness. Or, to consider this matter in another point of view, if we take from the aggregate expense of the Hulk establishment, in 1811, the value of the earnings of all the convicts in that year, (according to the accounts furnished to the Committee) and divide the remainder by the whole number of convicts, we shall find the charge of each man to be about 18*l.*; but if we take the expense of the Hulk at Woolwich, for the same year, separately, and deduct its separate earnings, the convicts at that place will have cost only about 2*l.* a head.*

It will of course be asked, how it happens that the earnings of the convicts at Woolwich should have amounted to above 5,000*l.* more than those of three times their number, employed at Portsmouth and Sheerness. This circumstance was entirely owing to the attention paid to the Woolwich convicts by lieutenant-colonel Pilkington, the officer in command of the Ordnance department at that place, who took great pains to turn the labour of these men to account; for this purpose he gave them increased allowances, and provided additional guards and keepers to look after them while at work. The expense incurred, by lieutenant-colonel Pilkington, on these heads, during the year 1811, amounted to 2,055*l.*; but it was, even in a pecuniary point of view, money well bestowed. I should observe, that the sum of 14,751*l.*, mentioned above, was not the gross value of the men's earnings, but the net amount, after these out-goings were deducted.

I contend, that Woolwich furnishes an example, upon this occasion, which might be followed with advantage, at other places where Hulks are stationed. It may, perhaps, be said, that we shall not easily find men of equal talents with those of lieutenant-colonel Pilkington, to superintend the employment of convicts; and that, if we had such persons to undertake that duty, we could not give them the advantage of being at the head of the public departments, in the yards where the convicts are to be employed; a circumstance which must have greatly facilitated lieutenant-colonel Pilkington's exertions. But, allowing all due weight to this observation, and admitting that, for these reasons, it may not be practicable to make the labour of the convicts as productive, generally, as it has proved in this particular instance, I think that what has been done at Woolwich, affords a reasonable ground of expectation, that the burthen of the convicts upon the state might be materially diminished, (while a great improvement would, undoubtedly, be made in their habits) by connecting with their labour the attention of an intelligent person, at each place where a Hulk is stationed; by making it their interest to be industrious; and by placing over them as many guards as may be necessary to see that they work properly, and to allow of their being divided into as many companies as the nature of their employment may require. The arrangements here alluded to must be made upon the spot; they must be different at different places, where convicts are to be employed, having reference to local circumstances, and to the particular kind of work which the men are to perform; they must be made in concert with the officers of the several yards; and, above all, to have their full effect, they must be executed under the observation of a regular superintending officer, constantly at hand, and competent to see that they are adhered to; and not under the occasional inspection of a person who is to come, four or five times in each year, from London for that purpose.

The class of persons from which a deputy superintendent might most conveniently and properly be selected, seems to be that of the lieutenants of the navy upon half-pay, among whom may be found many a meritorious individual, rendered unfit for the active pursuit of his profession by the loss of a limb, or by some wound or injury received in the service of his country, but qualified for the superintendence of a concern of this nature, by a clear head, strict principles of honour and integrity, and habits of discipline and command. The commissioner of a dock-yard would not think it beneath him to communicate freely, upon all points relative to the convicts, with a person of this description; who would, in that case, be treated, by the other officers of the yard, with a degree of respect and consideration, that would be of great use to him in the execution of his office.

It has been apprehended, by some persons, that any attempt to procure actual accounts of the convicts' earnings will be attended with much inconvenience. It is admitted, that there will be no more difficulty, or trouble, in keeping these accounts, than in the case of common labourers; but it has been surmised, that although the officers of the different yards are willing enough to accept of the work of these men, while it goes for nothing, and the value of it does not enter into the calculation of what is spent in the yard, the employment of them will be disliked, and endeavours will be made (at least in some of the yards) to get rid of them altogether, if their services are to be estimated, and their earnings brought to account. I will not undertake to say, that some practical difficulty may not occur, in framing proper arrangements upon this head, from the cause here stated; but the House will, I am sure, agree with me in thinking that difficulties of this nature are not to be submitted to as insuperable, but should be encountered and controlled by the authority of Government; and will be ready to vest powers in any quarter, in which they may be required, for that purpose. I must here remark, that, if there be any ground for such an apprehension as that to which I have now alluded, it strongly fortifies the arguments in favour of the expediency of appointing deputy superintendents at each of the places where there are Hulks, as it constitutes of itself a sufficient reason for the residence, at every such place, of an officer of a higher description than that of a captain of a hulk, or an ordinary clerk, to see that justice is done to the public and to the convicts.

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* The net charge of the convicts for 1811, is stated in the Report at 41,881*l.*, which, for 2,044 convicts, would be above 20*l.* per man; but the expense of fitting up a new Hulk in that year (4,250*l.*) should be deducted, which would leave the net charge 37,631*l.*, reducing the cost per head to between 18*l.* and 19*l.* The net charge of the Woolwich Hulk for 1811, is stated in the Report at 974*l.*, which, for 480 men, is a little more than 2*l.* per head.

I know that, in the opinion of many gentlemen, there can be nothing less likely to succeed, no project more visionary, than an attempt to produce amendment on board the Hulks. We cannot, indeed, give to the offender, in these prisons, the advantage, which would be afforded to him in a penitentiary, of reflecting, in a separate cell, without interruption, on his past life and future prospects; but with the means of inspection and separation, which experience has shown to be attainable in the vessel, and with due attention to the convict on shore, we shall at least be able to keep him from the commission of fresh offences against law or good order, during his imprisonment; from stealing—from gambling and swearing—from drinking and quarrelling—from the use of indecent or profane language, and from vicious conversation of every kind. Will it be contended, that the prevention or interruption of these practices, for seven or fourteen years of a man's life, will have no influence on his future conduct and character? Can it be supposed, that the evil propensities of men, which are invariably confirmed and nourished by habitual indulgence, will not, on the other hand, be weakened, in some degree, by long restraint? Will not employment, though on compulsion, create a habit of industry? Are not the habits of mankind, in general, formed by a course of discipline and education, not adopted from choice, but imposed, for their benefit, by the will of others? But to lay aside, for a moment, all question of amendment and reform, it will be a great point gained, if we only prevent the offender from becoming worse on board the Hulks, and redeem this establishment, in some measure, from the obloquy which is now attached to it (and justly) in the public mind. The objection now felt, to employ a person who has lately quitted the Hulks, is not that he has been criminal, but that his crime has been punished; it is not that he committed an offence seven or fourteen years ago, but that he has passed seven or fourteen years of his life in the pestilential air of an ill-regulated prison. Let these places of confinement be put upon a proper footing, and the convict will not experience the difficulties, which he now finds, in procuring an honest livelihood on his discharge; nor can I see any reason why, after this shall have been done, arrangements may not be formed for giving employment to such of the convicts leaving the Hulks, as may be inclined to accept it, not in a separate establishment for that purpose (which might, perhaps, be objectionable, as pointing out these persons too much to the notice of the public), but among the numerous labourers and manufacturers employed in different works by Government. To this point, also, the attention of a deputy superintendent might possibly be directed with advantage.

I am aware that I have extended my observations upon this subject to a considerable length; but it will, I am sure, be felt by the House to be a subject of no ordinary importance. If the system of management, pursued in these great national receptacles for convicted felons, concerned only, in its consequences, the individuals confined in them, it would still deserve the notice of this House; but if the present state of these prisons be among the causes, to which it is owing that the criminals of the present time are not only increasing in number, but are every day becoming more daring and more dexterous, the evil is one which demands the serious consideration of every member of the Legislature, as materially affecting the comfort and happiness of every class of his Majesty's subjects—of every private family in this kingdom. The people of this highly-favoured country, fenced in, and guarded by the sea, and relying, with a confidence warranted by experience, on the exertions of their navy, to protect them against invasion, know comparatively but little of the evils and anxieties of foreign warfare; but the danger of these domestic enemies is ever present—it meets us in the ordinary business and transactions of life—it follows us into our chambers and private retreats—it disquiets the minds of persons of all ranks and conditions, and of the most retired habits—of thousands, by whom the convulsions which agitate the continent of Europe are unheeded, and whose rest the name of Buonaparté, when his power was at its greatest height, never disturbed.

Mr. *Bathurst* observed, that as the hon. gentleman's remarks applied rather to the details than to the principle of the Bill, they would be more appropriate in the committee than on the present occasion. But as to the classification of the prisoners on board the Hulks, and securing their due separation, he feared that such a system could never be found so practicable in the Hulks as in those penitentiaries which were justly the subject of the hon. member's panegyric. The utmost effort would, however, be made to improve the arrangements in the Hulks; and with that view it was intended to construct seven or eight different compartments, among which the prisoners would be distributed by the governors, with the approbation of others, according to the degree of their crimes, the actual or probable reform of their morals, and the decency of their manners. Thus he hoped that provision would be made to guard against the general contamination which was justly to be apprehended from the indiscriminate intercourse of different descriptions of prisoners. He could assure the House, that nothing was neglected that promised to benefit the system of imprisonment under consideration. In order to encourage the reformation of prisoners in the Hulks, it had been for some time the established practice to make a quarterly report to the Prince Regent of such prisoners as were thought deserving of royal clemency, which was never refused to proper objects; and the release of such persons must naturally have the best effects on the conduct of other prisoners. Another important improvement, too, was intended, and it formed a part of the Bill before the House, namely, that all prisoners transmitted to the Hulks should bring with them an account of their conduct at the prison from whence they came, also of the offence of which they were convicted, together with their trial and convictions. Thus the governor of the Hulks would be at the outset enabled to form a judgment how to class each prisoner so as more effectually to provide against improper intercourse. The right hon. member, after replying to the observation that prisoners in the Hulks cost the country more than those confined in the penitentiaries, by stating, that the former must have an allowance of beer from the much harder work in which they were employed, added, that such improvements as were in contemplation, he hoped, would be productive of a satisfactory result.

Sir *Samuel Romilly* strongly objected, not merely to the details, but to the principle of the Bill under consideration; because by that Bill it was proposed to perpetuate a system of transportation, which was found utterly ineffective for the purpose it professed. The rational object of all punishments, short of death, was obviously to reform the offender. But those who suffered transportation were generally initiated in new crimes, introduced to worse habits, and in every respect disposed to much more mischief to society than they were inclined to, or qualified for, before their transportation. The question, then, for the House to consider on this occasion, was, whether a system, found so defective, ought to be continued; for the Bill under discussion referred to transportation as well as to the hulks. With respect to the latter, he saw no reason why any large number of prisoners should be confined together in one vessel; but he objected to the system of the Hulks altogether, whether they were to be used as a place of punishment, or for the temporary confinement of persons meant to be transported. In either case these Hulks were exceptionable, especially as no provision was or could be made in such places to prevent that contaminating intercourse, which served to introduce prisoners to vices with which they were before unacquainted, to teach them new sources of villainy. This was particularly to be deplored with regard to those unfortunate persons of tender years, who were so often confined in the Hulks. There were at the present moment on board the Hulks some children of the age of 14, 13, 12, and even 11 years of age; and it was a fact, that within the last four years no less than 105 children, under 16 years of age, had been transported to Botany Bay; yet it was notorious, that crimes had continued to increase; and did not such increase prove the radical deficiency of our system of police? That system ought, therefore, to be inquired into, and peculiarly deserved the attention of Parliament; for as it was the object of all punishment and criminal law to prevent offences, the system which failed to answer that end ought to be corrected. The House could hardly imagine the extent to which the progressive increase of crimes had gone of late years. But he had to state, from authentic returns, that while the number of committals in London in the year 1806 amounted only to 849, they reached in 1813 to 1,278; so that in the former year those committals were one-third less than in the latter, and this extraordinary increase of crime had taken place, let it be observed, in a period of war; although whatever calamities belonged to war, it had generally been remarked to have the effect of producing a diminution of crime, from the number of persons which it required for the army and navy. With this statement, then, before the House, he hoped that he should not say in vain that our system of police ought to be inquired into, and especially that a mode of punishment ought not to be tolerated, which, instead of reducing, operared to augment criminality. For what a serious responsibility would the House incur if it overlooked the subject, especially with regard to the poor child, who, probably from want of education, was led into delinquency, and consigned to a species of imprisonment which only served to qualify him for the worst crime, until at last the law exacted his life as the penalty of that contamination which its own injudicious exercise created. Thus, punishment, instead of effecting reform, rendered those who were the objects of it worse than before. He attributed a great part of the existing evil to the defective state of the police of the metropolis. By the present system, the police officers had the strongest interest not to put down young offenders, but to allow them to go on until their crimes became so enormous, as to be very profitable. It was the most serious duty of the House to inquire into all these circumstances, and most especially into the disgraceful fact of the great increase of crimes. He wished that the Bill might be stopped in its progress. If not, he implored the House to do no more in the present session than pass a temporary Bill for a twelvemonth, and in the mean time institute an inquiry into the various circumstances to which it related.

Mr. *Bathurst* observed, that the Bill must pass, but that he had no objection to limit its duration.

Mr. *Bennet* contended, that the Bill had been introduced in June instead of February, because it was known that the attendance of members would be thin, and that it would thereby escape much discussion. Conceiving that the Report of the Committee on the punishment of transportation to Botany Bay had been miserably defective, he pledged himself in the next session (if no one better qualified should undertake the task) to move for a committee to inquire not only into that subject, but into the state of the Hulks, and the Police of the metropolis.

Mr. *W. Smith* regretted that the measure had not been brought forward at an earlier period of the session, but thought that some of the excellent suggestions of his hon. and learned friend might still be introduced into it.

Mr. *Wilberforce* expressed a similar opinion; and dwelt on the improvement among the lower orders which the newly-adopted mode of general education was calculated to produce.

The House then resolved itself into the Committee. After some discussion, in which Mr. Holford, Mr. Bathurst, and Mr. Wilberforce participated, a clause proposed by Mr. Holford to limit the duration of the Bill to the 1st of May next was agreed to; and the House having resumed, the Report was ordered to be received to-morrow.

STAMP DUTIES BILL.] The order of the day having been read for the House to resolve itself into a committee on the Stamp Duties Bill,

The *Chancellor of the Exchequer* said, that he was desirous of dividing the Bill into two parts, in order that the one comprising those objects to which no objection existed, might as speedily as possible pass into a law. With respect to the other, he should merely move that the blanks be filled up, with a view to its future recommitment.

On the motion of the Chancellor of the Exchequer, it was ordered to be an instruction to the Committee to divide the Bill into two parts. He then moved, that the Speaker should leave the chair.

Mr. *Grenfell* expressed the satisfaction which he felt at the adoption by his right hon. friend, of the principle with respect to the Bank compensation for stamps that had been pointed out to him in the first instance, although he differed from him as to the application of that principle. He recommended that the average should be taken, not of the last three years, but of the last twelvemonth. He observed, that in consequence of the oversight on this subject of his right hon. friend's predecessors, the public had lost, and the Bank of England had gained, many hundreds of thousands of pounds.

The *Chancellor of the Exchequer* defended the mode in which he proposed to apply the principle adverted to by his hon. friend. The compensation which the Bank would pay at present would be 87,000*l.*: being an increase by the present Bill of 45,000*l.*, a sum much exceeding that which the Bank would have to pay if the new duties were actually imposed on their paper. He maintained, that to take the average of three years, was preferable to taking the average of the last twelvemonth only. It was his intention to propose that the operation of the measure, as it affected the Bank, should be co-existent with the restriction on their payments in specie.

Mr. *Mellish* said, that all the merit of the arrangement with the Bank was not due to the hon. gentleman (Mr. Grenfell), because that arrangement was founded on the consent of the Bank itself. The year 1814 was one in which the expenditure had been very great, which was the cause of the increased issues of the Bank in that year; it would be therefore unfair to take the average of that year as a scale for the amount of duties.

Mr. *Bankes* bore testimony to the merit of Mr. Grenfell, as the gentleman to whom this arrangement was owing. He thought no indulgence was due to the Bank, as it had derived great profit from the measures adopted by Parliament; and he did not think it would be fair in that body to oppose a proposition to fix the amount of the composition to be paid for stamps, by the amount of their issues, for the last twelve months.

Mr. *Forbes* thought the Bank should be put on the same footing with private bankers; and by the accounts which he had moved for on a former day, of the number of notes of each description in circulation, it would be in the power of the House to calculate to a shilling the sum which should be paid.

The Bill went through a Committee. The House having resumed, on the question that the Report be received,

Mr. *Grenfell* said, that when the Bill was again referred to a committee, he should propose a clause to carry into effect his ideas of the proper arrangement to be made with the Bank.

Mr. *Forbes* said a few words in support of the proposition of Mr. Grenfell.

Mr. *C. Smith* observed, that the Bank should always be regarded by the House with a favourable eye, for having afforded great assistance to the public, as well as for having been a main support of our commerce in the late war.

The *Chancellor of the Exchequer* said, that he considered the public faith so far pledged to the Bank, that a revision of the present engagements with them could not take place without their consent. He wished to suggest that consideration to the hon. gentleman, at the same time pledging himself to reconsider the subject.

Mr. *Wynn* was of opinion the public faith was not pledged to the Bank, any more than to individuals who compounded for the dog duty as packs of hounds. He suggested that the duty should be taken off the patents of sheriffs, which only produced 2,000*l.*

The *Chancellor of the Exchequer* said, he would take that subject into consideration. The office of sheriff was certainly one which, neither on account of its profit or pleasure, was a fair subject of taxation.

Mr. *Butterworth* wished to suggest the propriety of some regulation as to the percentage on wills and administrations.

The *Chancellor of the Exchequer* said, that after an examination of the subject, he was convinced of the impracticability of any arrangement.

The Report was then brought up, and ordered to be taken into further consideration on Monday.

HOUSE OF LORDS.

Friday, June 23.

Thanks to the Duke of Wellington, Prince Blucher, and the Allied Armies.] The order of the day for summoning their lordships being read,

Earl *Bathurst* rose, pursuant to the notice which he had given, to move the Thanks of the House to the duke of Wellington, and the Army under his command, for those transcendant exertions which led to the victory of the 18th of this month. He was aware that their lordships must be eager to discharge the debt of gratitude to the duke of Wellington, who had now so gloriously opened the campaign, and relieved them from the anxiety which all must have felt for some time past. However sanguine any of them might have been as to the final result, yet there were none who must not have experienced the utmost anxiety with respect to the turn which the campaign might take at the commencement. That campaign was begun by Buonaparté himself. He had not, for this time at least, to blame the elements; He had not to accuse the seasons, nor the defection of those from whom he expected support. He could not say that he was obliged to commence the battle by those to whose measures he was compelled to yield, contrary to his own better judgment. It was completely his own act and choice. He had the choice of the time, of the place, and of the adversary with whom he might be desirous to contend. Under these circumstances, he had begun the battle, and he had failed. His attacks were repulsed; the order was reversed—he was attacked in his turn. His boasted genius shrunk under the ascendency of the mightier genius of him by whom he was opposed, and the result was the complete rout and overthrow of the French army. As most of the transactions which had taken place on this memorable day must be fresh in their lordships recollection, he did not feel himself called upon to enter much into detail: but there was one point connected with the duke of Welligton, to which, on this occasion, it was not out of place to call their lordships attention. It had been observed, with reference to the campaigns in the Peninsula, that the duke of Wellington's system had been, not to attack, but to wait for the attack of the enemy, and take advantage of the situation of the enemy when they were repulsed; and many thought that he acted in this manner, from a prudent attention to that part of the military science in which he found himself strongest. The duke of Wellington had, indeed, acted on this principle, during a great part of the time when he was employed in the Peninsula: but this was owing to the necessity of contending with inferior numbers against the enemy. When, in the year 1813, he was enabled to commence operations with forces more nearly approaching to an equality, their lordships knew how the system was changed. The rapid advance to Vittoria, and the splendid victory which had been there acquired, and to which the present bore a strong resemblance, could never be forgotten. The duke of Wellington then proved that his great genius was no less powerful in the military science of attack than it was in that of defence. In this battle both these attainments were displayed in the most remarkable manner. Before he came to the operations on the 18th, he was anxious to make one or two observations respecting those of the 16th. It was due to the brave men who fell on that day not to pass it over entirely in silence. On the evening of the 15th, the duke of Wellington received the intelligence that the Prussians had been attacked by the enemy, and the forces in the neighbourhood were immediately ordered to advance. The Prussians were driven from their posts at Sambref with loss. On the 16th, general Picton's division, with the duke of Brunswick's corps, and the Nassau regiment, were attacked at Genappe. The battle lasted the whole of the day. The Prussians were likewise attacked in their position, and Buonaparté claimed a victory over both: but it was clear that the Prussians maintained their position; and so far were they from being driven out, that they did not leave it till the attack for that day was concluded. Our troops likewise maintained their position; they passed the night there ready for a renewal of the contest next day. But the Prussians having lost 16,000 men on that occasion, from their refusing to take quarter, and a great proportion of their forces not having yet come into line, it was deemed by marshal prince Blucher most prudent to retire upon their reinforcements. In consequence of this resolution, they retreated, and the duke of Wellington also retired with his troops to Waterloo, maintaining his communication with the Prussians, to that he might assist them if they should be attacked, and if he should be attacked, they might assist him. This position at Waterloo was a very strong one, and had been noticed as such by the duke of Wellington last summer. His grace then passing near it, the position struck him, and he made a minute of it. He stated at the time, that if ever it should be his fate to fight a battle in that quarter for the protection of Brussels, he should endeavour to do it in that position. He knew the importance of the place, therefore, even at that time, and the event has shown that he judged well. The enemy attacked our troops in that position on the 18th of this month, with the whole of his army, except one corps which was left to observe the Prussians. They fought with that intrepidity for which the nation was distinguished; but they were met with no less intrepidity by our forces, and with a resolution and firmness in which the British forces were not outrivalled by those of any nation whatever. In the course of this arduous and desperate contest, the duke of Wellington performed the duties of military officers of all ranks. As a commander-in-chief, as a general of division, as colonel of a regiment, he exerted himself in encouraging the troops to persist, and maintain their resistance to the repeated and desperate attacks of the enemy. Towards the close of the day, Buonaparté himself, at the head of his guards, made a desperate charge upon the British guards, and the British guards instantly overthrew the French. The battle lasted nearly nine hours, and at length our troops repulsed these desperate attacks made upon them by forces infinitely superior in number. Here, then, the battle ended, as far as concerned the attacks of the enemy. But the duke of Wellington, with his accustomed promptitude and decision, observing that the retreat of the enemy from the last attack was attended with considerable confusion, ordered the whole of those of his troops who had not suffered in the present conflict to move forward upon the enemy. The troops accordingly advanced, attacked the enemy in their position, drove them from the heights, and put them completely to the rout. He continued the pursuit of the enemy, till the troops, overcome with fatigue, could proceed no further, and then the Prussians were left to follow up the victory. The consequences of this victory, as far as he could at present state them, were these:—About 5000 prisoners had arrived at Brussels—2000 were on parole, and more were expected to be brought in; and besides this, a great quantity of ammunition and baggage was taken. He was not then speaking of what was accomplished by the Prussians during the pursuit, as no regular account of it had as yet arrived. Having thus stated the nature and extent of the victory, there was one point still which could not be passed over without observation. Their lordships must be sensible that an achievement of such magnitude as this could not be performed without great loss. It had been wisely ordained by Providence that we should taste neither of joy nor of grief unmixed, and the price at which this victory was gained must teach us to check our exultation. There were none who had not lately looked to our army on the Continent, upon the point of commencing hostilities, without anxiety respecting the result: but how much more keen must have been the anxiety of those who had friends and connexions among the troops. The result must in that respect be to many most painful: but still the friends of those who fell had this consolation, at least, that if those who were dear to them had paid the common tax imposed on the military profession, they had not paid it in vain. Who could recollect without admiration and sorrow the stern and manly virtue of sir Thomas Picton, the firm and amiable character of sir W. Ponsonby, or the heroic gallantry of the duke of Brunswick, who, having refused to be included in the armistice at Wagram, and traversed hostile Germany with his little band, had at length here terminated his life in a manner so worthy of his own conduct, and the race from which he sprung? No one could speak on this point so well as the duke of Wellington himself. His grace had written a private letter to the earl of Aberdeen, with intelligence of his brother's death, an extract of which letter he begged leave to read to their lordships. After adverting to the events of the day, and to the death of sir Alexander Gordon, the duke of Wellington expressed himself thus:—"I cannot express, in adequate terms, the grief which I feel in contemplating the loss which we have sustained in the death of so many valued friends. The glory of such actions is no consolation to me, and I cannot suggest it as a consolation to you: but a result so decisive will in all probability be followed by the early attainment of the just object of our wishes and exertions, and this may afford us some consolation for our loss." In looking at the list of the wounded, their lordships found the name of the brave earl of Uxbridge, who had headed every charge of cavalry himself—(Hear, hear!). Their lordships would also find many names which must be familiar to them from the frequent mention which had been made of them on the account of their services in the Peninsula; and at the head of the list they would see the name of that gallant youth the hereditary Prince of Orange, who had shed his blood in defence of the Netherlands, and thereby acquired a better title to those dominions than mere formalities could afford. It would be in vain to attempt to do justice to the merits of all those who fell, of those who were wounded, and those who escaped; and he should, therefore, refrain from a selection of any particular individuals, lest the distinction should appear invidious. It remained only for him to advert to the conduct of marshal prince Blucher and the Prussians, to whom, as part of the allied forces engaged in these memorable transactions, it was his intention to move their lordships thanks. The duke of Wellington had expressed in strong terms the assistance which he had received from the Prussians. Without that assistance, though the attack of the enemy would not have succeeded, he could not have, in his turn, made that attack on the enemy which had terminated in his complete rout and overthrow. Prince Blucher himself, worn out with the constant exertions of the preceding days, had retired to bed; but as soon as he received intelligence that the duke of Wellington was attacked, he rose from bed, and himself headed a corps to assist the British troops. He hung all night on the rear of the retreating enemy, and no doubt amply avenged the fate of those brave Prussians who had fallen in the battle of the 16th, by their refusal to take quarter. He had now, then, only to move their lordships,

"That the Thanks of this House be given to Field Marshal the Duke of Wellington, Knight of the most noble Order of the Garter, for the consummate ability, unexampled exertion, and irresistible ardour displayed by him on the 18th of June, on which day the decisive victory over the enemy, commanded by Buonaparté in person, was obtained by his grace, with the Allied troops under his command, and in conjunction with the troops under the command of Marshal Prince Blucher, whereby the military glory of the British nation has been exalted, and the territory of his Majesty's ally the King of the Netherlands, has been protected from invasion and spoil."

The Marquis of *Lansdowne* said, that it was impossible to add any thing to the statement of the noble earl opposite, the observations which he made on the circumstances attending this splendid achievement, and the merits of those who had fallen, whose loss the noble earl had so feelingly deplored; yet in the absence of those who, if present, would, with far greater grace and ability, have given their sanction to this motion, he could not bring himself to give a mere silent vote; and, therefore, on this most brilliant, and at the same time most awful event, which had occurred during his own life, or the lives of any of their lordships, he should, with their lordships' permission, say a few words. He was the more induced to do so from this circumstance, that when he first heard of the proposition, he had felt some hesitation whether he should comply with it. That hesitation, however, was not founded on any doubt whatever as to the magnitude and importance of the success, but on the appearance which the vote would carry, of anticipating those great consequences which might probably ensue, but the extent of which they could not then completely appreciate: but when he considered all the circumstances of this transaction,—when he considered the important consequences which must result from it, independent of its military or political effects,—when he contemplated the field of battle as the scene where, from the talents of the respective chiefs, the rival qualities of the troops of two nations were displayed, and the powers of every officer and every private soldier were brought to a public trial, and then looked at the result; great and indubitable as he held it to be, it was impossible for him to abstain from doing all in his power to render the record of that result as interminable and imperishable as the glory which had been acquired by it. It was not improper, therefore, in the present instance, to agree to this proposition, even before they could be apprised of its immediate military or political consequences. The event of this day would, in its effects, extend far beyond the fate of those who were engaged in it—beyond the other events and interests, great as they were, of the present times. It was one of those events which formed the most valuable part of national property and history; and like events of that description, to none of which this was inferior, it would become one of the clearest titles of the glory of the nation, the charter of its fame. He should therefore give his cordial concurrence in voting for a monument as imperishable as the glory which had been gained by the transaction and the means by which it had been achieved. He wished to be understood as likewise concurring in the vote about to be proposed for a further provision for the duke of Wellington, as an additional testimony of the sense entertained by Parliament and the country of his transcendent services. The splendour and national importance of the event was such as almost to stifle the feeling of individual calamity, and to make us look upon the brave who had fallen as we regard the fate of those "quos neque lugeri neque plangi fas est,"—[Hear, hear!]

The Vote of Thanks to the duke of Wellington having been agreed to *nem. dis.*, earl Bathurst then moved the Thanks of the House to the Prince of Orange, the earl of Uxbridge, lord Hill, baron Alten, general Barnes, lord E. Somerset, and several other officers of distinction; which was carried. His lordship also moved a Resolution of Thanks to marshal Prince Blucher, to the Prussian army, and to the troops of the Allies under the orders of the duke of Wellington. It was agreed to. [See the Resolutions in this day's proceedings of the Commons.]

PRINCE REGENT'S MESSAGE RESPECTING AN ADDITIONAL GRANT TO THE DUKE OF WELLINGTON.] The order of the day for considering the Prince Regent's Message being read,

The Earl of *Liverpool* rose and observed, that he thought it unnecessary long to occupy the attention of the House upon the subject of the motion which he was about to submit, especially after the eloquent speeches of his noble friend, and of the noble marquis on the other side, with regard to the merits of the great Commander, and the illustrious army, to whom the country owed such a splendid triumph. He doubted whether it was in the power of words to add to the eulogy which the House had heard, but he felt that it was not in his power to offer any thing which would not serve rather to weaken the effect of that eulogy. He was, however, called upon to propose a measure calculated farther to commemorate the glory of the duke of Wellington, by erecting to himself and to his family a living monument of national gratitude. Their lordships would consider the nature of our constitution, and what was one of the principal objects of that branch of the constitution which they composed. That object evidently was to transmit to posterity an hereditary distinction of the talents and virtue of the country; and he would ask whether a case had ever occurred in which any individual was more eminently entitled to have his merits so recorded—[Hear, hear!] A stronger claim to national gratitude could not, indeed, be adduced. It was, in fact, due in justice, not only to this illustrious individual himself, but to the nation, to confer upon him the highest honour. For it was obviously the best policy of the nation to show that it was never wanting in gratitude to those who bravely fought for its defence and security—who contributed to exalt and establish the national glory. For all history had shown, that when a nation had lost its martial spirit, whatever other virtues it retained, it soon became a prey to some jealous enemy. As to the expediency of the vote which he meant to propose, he had to state a few facts. He had the honour of being one of the trustees appointed to superintend the application of the sum which the liberality of Parliament had granted as a provision for the family of lord Wellington. Last year 500,000*l.* was granted, and it was stipulated that out of that sum 100,000*l.* should be applied for the construction of a suitable mansion. But the trustees, after the most indefatigable inquiry, found that this stipulation could not be consistently executed—that indeed it would be impossible to construct or procure an appropriate mansion for the money allotted to that purpose—that, as a monument of national taste, and of the honour due to the family of this great hero, it would be impracticable to accomplish the object. Nay, he could go farther. It was found, that if an obligation were imposed upon the trustees to purchase or erect a suitable mansion, a proper estate could not be obtained without sinking such a sum as would not leave sufficient revenue for the support of the dignity of the duke of Wellington and his family. Then, after such an action as that of the 18th of June—after a victory which combined all the virtues that belonged to his former achievements—which presented a display of all the great qualities of a general, whether for defensive or offensive warfare—whether for resistance or attack—whether for gallantry, perseverance, or skill—he would ask, whether, after a victory unparalleled in history, Parliament could be conceived to do its duty, if it merely confined itself to a vote of thanks, and declined to present any further evidence of public gratitude to the valiant leader of such a signal victory, if it refused to make an adequate provision for this celebrated conqueror and his family—[Hear, hear!]—if it left that family, after all his eminent services, in a state of incapacity to maintain its proper splendour. If any thing more than the duke of Wellington's public services were necessary, to interest their lordships or to induce the House to acquiesce in the motion he meant to submit, he had to urge the merit of that distinguished individual's personal character. He had for many years been both personally and politically connected with the duke of Wellington. He had, therefore, had ample opportunity of witnessing his grace's disposition, and he could bear unqualified testimony to his extreme disinterestedness. He had known him intimately in his official communications, and he had found that this gallant warrior, while commanding on the Peninsula, and even when poor, never received, for some years, his due official allowance. Yet he never applied for it. Although he made many applications for the benefit of others, he never made any for himself—[Hear, hear!] After farther enforcing the justice and policy of the measure, with a view to gratify the feelings of Parliament and the public, the noble lord concluded with moving a Resolution, in pursuance of the Prince Regent's Message, that the House would concur in granting such additional provision to field-marshal the duke of Wellington, as might be necessary to afford a farther proof of the opinion entertained by Parliament of his transcendent services, and of the gratitude of the British nation.

The motion was unanimously agreed to. Adjourned till Monday.

HOUSE OF COMMONS.

Friday, June 23.

THANKS TO THE DUKE OF WELLINGTON, PRINCE BLUCHER, AND THE ALLIED ARMIES.] Lord *Castlereagh*, in rising to call the attention of the House to the last splendid triumph of the British arms, was at a loss to express the feelings which he experienced in common with all who heard him. On various occasions he had had the honour to address them on the exploits of that illustrious Commander, who was the subject of the motion with which he should conclude; but never, even among the mighty achievements which had swelled our military renown, since that exalted character was placed at the head of our army, had it been his lot to submit to Parliament a proposition founded on an event so glorious as that which called for the expression of their gratitude this day. The present was a triumph of such a character, that, without disparagement to those actions in which his great genius had formerly displayed itself, he might say of it—it had never happened, even to him, to confer so great a benefit on his country before. It was an achievement of such high merit, of such pre-eminent importance, as had never perhaps graced the annals of this or any other country till now; and when considered, not only with a view to the immediate loss inflicted on the enemy, but with reference to the moral effect which it must be expected to produce on the war now commenced, in the issue of which the fate of this country, of Europe, and the world were so closely bound up, it must be felt that it opened to our view a prospect so cheering, and so transcendently bright, that no language could do justice to the feelings it must naturally inspire. He sincerely felt this to be one of those instances in which the victory gained must be depreciated by the inadequacy of language faithfully to represent the vast service performed. He might, therefore, do best to abstain from offering any observations of his own, to introduce the vote which he had to propose, satisfied, as he was, that those to whom he addressed himself, would act from what their own feelings, their own understandings, and their own hearts suggested, and not upon any thing that might fall from him. But there were some distinguished features in this victory which he could not be content to pass over in silence. It must be felt, that there was in this case something in the situation of the hostile armies, which, without at all detracting from the high merit and military skill of the great commanders, who placed the allied force in the position it had occupied, gave the enemy a decided advantage in the first instance. The war not having actually commenced, though certainly it had been understood it was immediately to break out, had caused arrangements to be made different from those which might otherwise have been thought necessary. The combined armies, it had been found expedient to distribute where sustenance could most conveniently be procured. In the then situation of things, their policy was evidently to act on the defensive; and consequently the power which had to choose the period for acting on the offensive, must necessarily have an advantage over the Allies, from the extent of their line, in that part of it against which it might think fit to direct its first attack. This was unavoidable, as the enemy had the choice of the point on which he would commence his operations, and as the Duke of Wellington and Prince Blucher could not concentrate their forces without leaving a large portion of the frontier of the dominions of the King of the Netherlands open to the incursions of the French. This, without militating in the slightest degree against the skill of the commanders, necessarily gave the enemy, in the first instance, the advantage he had described. A person in the situation of Buonaparté, would naturally, and, he might say, properly consider, while contemplating the operations about to be commenced by the armies now assembling along the whole line of the frontier of the country under his control, that the course which it was for him to take, was that which he (Buonaparté) had determined upon taking. Whatever might be the risk of assailing the armies under the duke of Wellington and prince Blucher, it was obvious that if he could bring them into action before they could be supported by the armies advancing to co-operate with them, the chance of success would be greater than that which would remain to him after they had actually got up. Buonaparté considering this, had certainly formed his resolve with all that judgment and decision of character which belonged to him, when he determined on the forward movement that led to those operations which had terminated so gloriously for the British and their Allies. In considering the amount of the force by which the attack had been made, it should be remembered that besides the Imperial Guards, Buonaparté had under him the five most complete corps of the French army, and nearly the whole of its cavalry and artillery. It was but justice to the enemy to say, that in the actions which had taken place, they had fought with determined courage, and well sustained the renown they had acquired in former wars. This circumstance served but to add to the lustre of the triumph obtained, as it had been gained over an army composed of the most experienced and best disciplined soldiers in the world. The number of troops who had fought under Buonaparté could not be estimated at less than 130,000; and perhaps they would not be overrated if they were taken at 140,000. They certainly were the flower of the French army, brought together from all parts of Europe where they had been prisoners or otherwise dispersed, and concentrated for the purpose of making this first attack. They were in a high state of organization before the return of Buonaparté to France; and since his restoration to power during the last few months, every care and preparation had been accumulated upon them to add to their efficiency. It was obviously the design of the enemy to bring the whole strength of his army to bear on the Prussians and English, in the hope that striking one great blow against them before the other allied forces could get up, a most important object would be effected, and the hopes of the Allies so considerably diminished, as to give him advantages which he could not expect by other means to secure. It appeared that, in consequence of his being able to bring superior numbers against any one part of the line of the Allies, on the 15th he succeeded in forcing the Prussians back, and on the 16th, in consequence of the superior numbers which the enemy could bring against him, it had been thought advisable by prince Blucher to fall back upon Wavre, to strengthen himself by means of the approaching force of general Bulow. Notwithstanding the intrepidity for which the Prussians had always been distinguished, and with which they would ever fight under a commander so dear to them as prince Blucher, yet the French had advanced in such masses against them, that his posts had been driven in, and he had been forced to draw back his right wing. The whole of the operations of Buonaparté on that day were not directed against the Prussian army. Two divisions were sent against the English. These were met by a body of

10,000 men, and this small force had given an earnest of the exertions which were to be made by the army on this occasion, by repelling the attacks of the two divisions of Buonaparté's army, and maintaining their position till the close of the day. The duke of Wellington had, in the first instance, taken up a position before the commencement of operations on the spot on which he thought the battle ought to be fought. Marshal prince Blucher, however, having found it necessary to draw his right wing in closer, and to unite with the army under general Bulow, it became necessary for the English to fall back. In this situation things stood on the evening of the 17th, when Napoleon having, as he believed at the time, such an advantage over the Prussians, that it was unnecessary longer to direct so considerable a portion of force against them, totally changed the plan of his operations. He now sent but one division to watch the Prussians, and united the rest of his army on the neighbouring heights to act against the force under the duke of Wellington. From this statement the House would see more distinctly than it appeared from the dispatch of the British commander, who, from that innate modesty which distinguished his character, had not dwelt on the fact, that at this period he was immediately opposed to him who had been called the greatest Captain of his age—(Hear! Hear!) Though it was not generally known, this was the situation in which he had been placed, and in this situation for nine hours had he successively repulsed all the attacks made by the French army directed by Buonaparté in person. The powerful and often repeated efforts directed against him wholly failed. It was impossible for him adequately to describe the merits of this action. During the whole day the British line stood immoveable, and there was no species of heroism, or of military science, which could adorn a field of battle, which was not here displayed by the duke of Wellington.—(Hear, hear!) It would be invidious to make a distinction between the different troops engaged, where almost all displayed equal merit. Great, however, as that merit was, it was fit that he should remark, that with the exception of the English force, the army engaged might be called a green army, as those who composed it had, for the most part, never been in action before. The greater part of the force engaged had been newly levied, so that the duke of Wellington (with the exception of the English army) was at the head of troops almost wholly unaccustomed to war. The Allied army, from the very nature of its constitution, must have been more difficult to manage than an army consisting only of the troops of one nation. It was a young army opposed to the most experienced soldiers in Europe; and, besides, it was to be remembered, that 25,000 men under the prince of Orange, had been detached from the army on the 18th; and when the other deductions which had been made, were taken into consideration, it would be seen with astonishment, that the number of men who remained under the command of the duke of Wellington could not exceed 64,000.—He had described the course which had been taken, up to the moment when the British commander found himself able to act on the offensive. On this, as on former occasions, it was proper that it should be known how much we were indebted to the cordial assistance afforded by our Allies. On this memorable day, we owed much to the illustrious warriors of Prussia—(Hear!) Had they not done as they did, the duke of Wellington, consistently with those military principles by which his conduct was regulated, could not have acted on the offensive. Had not they shown themselves as they had done, to promise success if the attack should not be in the first instance unfortunate, to prevent disaster if it failed; the duke of Wellington would not have been able to take that course which the energy of his mind prompted, and which was encouraged by the example of his person. It was painful to reflect that that invaluable life had been exposed to more danger than that of the meanest soldier. The common soldier had only his local duties to perform, but the duke of Wellington was every where in the heat of the action, and every where in the presence of danger—(Hear, hear!)—Having remained on the defensive for nine hours, the moment at length arrived when he saw there was a prospect of acting on the offensive with success. He then ordered the line to advance. The shock was irresistible—the French could not resist our attacks as we had resisted theirs; their ranks were broken—their first line thrown in disorder on the second; they were compelled to fly in the greatest confusion, and the English and their Allies became masters of at least (as he should suppose) half the artillery of the enemy. He apprehended such splendid trophies of victory had never before been captured under such circumstances.—What the final result might be, he could not yet say; but it was glorious to reflect that the duke of Wellington was enabled at the close of a day in which he had obtained a most splendid victory, to hand over the pursuit to the Prussian army, which, compared with the English or the French army, was fresh, and ready to receive the charge—(Hear, hear!)—The plan of Buonaparté, however completely frustrated, did not appear to have been unwise; for if he could not beat the forces under the duke of Wellington and prince Blucher while they were unsupported, he could have no hope of finding a more favourable opportunity when the Allied armies, now advancing, should have come up. Defeated by the valour and the military skill opposed to him, he was now thrown back upon France, and new strength was added to the Confederated Powers. The painful reflections which must be caused by the loss we had sustained, he would not enlarge upon on this occasion. The friends of those who had fallen, would have the best consolation that great and feeling minds could know under such a calamity. Their distress would be softened by the reflection, that their relations had laid down their lives in a cause the most just, and in achieving a victory, than which one more glorious never adorned the annals of this or any other country.—It might be unjust to particularize individuals, where all had deserved so well of their country; but some of the officers who had fallen in the late operations, were so particularly well known to the nation at large from their former services, that it was impossible for any man, who had even known nothing of them personally, to refrain from the liveliest expressions of sorrow on learning their fate. If, on this day, he did not call the attention of the House more particularly to them, it was because he was afraid, if he attempted to do so in the present instance, some names might unavoidably be omitted, which ought not to be overlooked. He would, therefore, now confine himself to the more grateful duty,—to that which was most exhilarating at the commencement of a new war like the present. He was happy to be enabled thus early in the contest to call upon the House to pay that tribute which they must feel they so deeply owed to the officers and men engaged in this glorious action, by recording the expression of their gratitude to them and to our Allies. The confederated soldiers who had fought under the duke of Wellington, the subjects of the king of the Netherlands, the Hanoverians, and the duke of Brunswick's corps, were entitled to the Thanks of that House, as well as our own countrymen; and the Prussian army had the same claims on our gratitude. He felt that any further attempt on his part to bring the subject under the consideration of the House, would be worse than useless, and would therefore conclude. The noble lord then moved,

"That the Thanks of this House be given to field-marshal the Duke of Wellington, Knight of the most noble Order of the Garter, for the consummate ability, unexampled exertion, and irresistible ardour, displayed by him on the 18th of June, on which day the decisive victory over the enemy, commanded by Buonaparté in person, was obtained by his grace, with the Allied troops under his command, and in conjunction with the troops under the command of marshal Prince Blucher, whereby the military glory of the British nation has been exalted, and the territory of his Majesty's ally the King of the Netherlands, has been protected from invasion and spoil."

This motion was carried in the affirmative, *nemine contradicente*. [The Speech and Motion were followed by loud and long cheering.]

Lord *Castlereagh* begged shortly to call the attention of the House to the distinguished merit of the prince of Orange, who stood first in the next Resolution he should have to propose. It was a proud reflection for Europe, that in that illustrious young warrior they had a soldier bred in the school, and in the principles of the duke of Wellington. He had already distinguished himself in war, and it was to be hoped that the whole course of his life would prove him true to those principles which he had received from that distinguished chief, and anxious to contribute in every possible way to the peace and happiness of Europe. To show that the sentiments of the prince of Orange had already produced the best spirit in the Netherlands, he referred to a letter which he had received from the Dutch Ambassador, in which it was stated, that nothing could exceed the good conduct and the fidelity of the Belgians to the cause of the Allies. He next took occasion to lament the death of the duke of Brunswick, who had died while fighting with that valour which he hoped would ever distinguish the princes of his illustrious House. He then moved,

"That the Thanks of this House be given to general his royal highness the Prince of Orange, Knight Grand Cross of the most honourable Military Order of the Bath; lieutenant-generals the earl of Uxbridge, K. G. C. B.; lord Hill, K. G. C. B.; sir Henry Clinton, K. G. C. B.; Charles baron Alten, Knight Commander of the most honourable Order of the Bath; major-generals sir Henry Hinuber, K. C. B.; sir John Ormsby Vandeleur, K. C. B.; Geo. Cooke, sir James Kempt, K. C. B.; sir William, Dornberg, K. C. B.; sir Edward Barnes, K. C. B.; sir John Byng, K. C. B.; sir Dennis Pack, K. C. B; lord Edward Somerset, K. C. B.; sir John Lambert, K. C. B.; sir Colquhoun Grant, K. C. B.; Peregrine Maitland, sir Colin Halkett, K. C. B.; Frederick Adam, sir R. H. Vivian, K. C. B.; and to the several Officers under their command, for their indefatigable zeal and exertions upon the 18th of June, when the French army, commanded by Buonaparté, received a signal and complete defeat; and that his grace the Duke of Wellington be requested by Mr. Speaker to signify the same to all the officers above named, except lieut. general sir Henry Clinton, K. G. C. B.; and major-general lord Edward Somerset, K. C. B.; they being members of this House."

This motion was carried in the same manner as the last. It was next resolved, *nem. con.*

"That this House doth acknowledge, and highly approve the distinguished valour and discipline displayed by the Non-commissioned Officers and private Soldiers of his Majesty's forces serving under the command of field-marshal the Duke of Wellington, in the glorious victory obtained upon the 18th of June; and that the same be signified to them by the commanding officers of the several corps, who are desired to thank them for their gallant and exemplary behaviour.

"That the Thanks of this House be given to the General Officers, Officers, and Men of the Allied forces, serving under the immediate command of field-marshal the Duke of Wellington, for the distinguished valour and intrepidity displayed by them on the 18th of June; and that his grace the Duke of Wellington be desired to signify the same to them accordingly."

On the Resolution, "That the Thanks of this House be given to marshal Prince Blucher and the Prussian army, for the cordial and timely assistance afforded by them on the 18th of June, to which the successful result of that arduous day is so mainly to be attributed; and that his grace the Duke of Wellington be desired to convey to them the present Resolution,"

Sir *Francis Burdett* did not mean to oppose the motion, but he wished to take that opportunity of saying a few words on a subject which he had much at heart. He concurred in all that the noble lord had said with respect to the great merit of the officers and men in our army; but there was one observation which had been made by him, that was of a tendency to create a difference of opinion, which on this occasion it was most desirable to avoid. He alluded to what had been said by the noble lord of the consolation which the relations of those who had fallen would derive from the justice of the cause in which those they mourned had fought. It would be invidious to go into this subject now, but he thought it was not fair in the noble lord to hold such language with respect to that on which he knew such different opinions prevailed, on an occasion like the present; when those who denied the justice of the cause, must either seem to acquiesce in the description thus given of it, or be compelled to appear unwilling to assent to the motion for a vote of thanks where it was so well deserved. Whatever opinions might exist on the justice and expediency, or the injustice and inexpediency of the present war, there could be but one opinion as to the merit of the English and their Allies in the late struggle—there could be but one opinion on the surpassing glory with which their efforts had on this occasion been crowned. What he would wish to propose was this, that the troops who had deserved so well of the country, should receive a more substantial reward than a vote of thanks, however great the honour might be of a vote of thanks from that House. He wished to lay in his claim for an amelioration of the present military system, and hoped, when the Mutiny Bill should be brought in next year, gentlemen would not think that the English soldier, who had deserved so much of his country, was the only soldier in the world for whom the degrading punishment of flogging was necessary. The hon. baronet sat down with expressing a hope that this subject would be attended to.

The motion was then agreed to, *nem. con.*

Prince Regent's Message respecting an additional Grant to the Duke of Wellington.] The House having resolved into a Committee of Supply,

The *Chancellor of the Exchequer* rose and observed, that the opinion which the House had just expressed as to the merits of the distinguished individual to whom he also had to call their attention, would relieve him from the necessity of saying much to induce them to concur in the vote he should have the honour of proposing. He was anxious, however, to state some peculiar circumstances connected with it. It had long been the opinion of that House and of the public, that there was no extent of honours, or of pecuniary provision, which could be equal to the glorious services achieved by that great captain; but still, as honours and rewards were the only means by which the approbation of Parliament, or the gratitude of the nation could be testified, it became their pleasing duty to confer those tokens upon him. Very liberal sums had undoubtedly been voted already; though, at the same time, large as these were, he was convinced that all who heard him would agree that they were not so large as the rank which the Crown had bestowed upon him required. He wished to state, that since the resolution of the House last session, and since the passing of the Act by which it was carried into effect, much inquiry had been instituted by the trustees to find a suitable estate and mansion for the duke of Wellington, but they had not as yet been completely successful. Many designs, also, for erecting a dwelling had been submitted by various artists, whose uniform opinion it was, that a smaller sum than from 150 to 200,000*l.* would by no means be sufficient to erect and furnish such a mansion as would become the gratitude of a great nation for such services as the duke of Wellington had performed. At the same time, he was quite satisfied that a mansion adequate to the wishes of the duke of Wellington might be obtained for a much smaller sum. [Hear, hear!] His intention, therefore, was, to move in the committee, that the sum of 200,000*l.* should be granted, and vested in the hands of trustees, either to erect or purchase a suitable mansion; and if they were enabled to accomplish the latter, at a less expense than the present vote would cover, then the surplus of the grant was to go to augment the fund, by which the dignity of that illustrious, and, he hoped, perpetual family, was to be maintained. Before he sat down, he hoped the committee would allow him to make a few observations upon the transactions of that memorable day, which his noble friend had so forcibly described. He understood that the illustrious commander who guided the course of that momentous struggle, transcended, in his own personal exertions, even the great deeds of his former campaigns. He had himself received a letter from an officer of high rank, who was on the field of battle, and one well qualified to form a correct judgment, who stated, that the personal exertions of the duke of Wellington were incredible, and threw all his preceding achievements completely into the shade. At a critical period of the battle he took possession of a high ridge, from which he declared he would never stir, nor did he stir, until he quitted it in triumph. At another, when his position was strongly attacked, he threw himself into the centre of a square of infantry, which was furiously charged by the enemy's cavalry, but which, fortunately for his country, and the world, resisted the shock with dauntless intrepidity. "I mention these things," said the officer, "because they are precisely those of which you will not find a word in his own dispatches. [Hear, hear!] Every person around him was either killed or wounded." There was another characteristic trait of that illustrious commander, which he could not abstain from communicating to the House. He had seen a letter from the duke of Wellington, dated from Binch, a town in advance of the place where the battle was fought; and in a postscript he says, "I forgot to mention, in my public dispatch, that 5000 prisoners have arrived at Brussels, that 2000 are on the road, and that more are expected." The right hon. gentleman concluded by moving, "That a sum, not exceeding 200,000*l.* net, be granted to his Majesty, for the better enabling the trustees appointed under an Act of the last session of Parliament for settling and securing an annuity on

Arthur Duke of Wellington and his heirs, and for empowering the lords of the Treasury to advance out of the Consolidated Fund of Great Britain a sum of money to purchase an estate in order to accompany the said title, to carry into effect the provisions of the said Act with respect to the purchasing a suitable residence and estate for the Duke of Wellington and his heirs."

Mr. *Whitbread* said, that he had not the slightest intention of opposing the grant, as it was the only means now left for the nation to testify its gratitude, beyond that vote of thanks which they had just passed. It remained for the duke of Wellington to do that, which he alone could do, to add to his own great military fame; and he had indeed done more than was ever done, he believed, by any single commander [Hear, hear!]. It was undoubtedly gratifying to the House, and it must be gratifying to the country, to hear those individual traits of heroism in that illustrious chief, and especially the one which the right hon. gentleman had related, connected as it was with his entire confidence in the bravery and fidelity of his troops. If such a trait were recorded in history, as having occurred ten centuries ago, with what emotions of admiration and generous enthusiasm would it be read—[Hear, hear!]. To see a commander of his eminence, distinguished above all the commanders of the earth, throw himself into a hollow square of infantry, as a secure refuge, till the rage and torrent of the attack was passed, and that not once only, but twice or thrice in the course of the battle, proved that his confidence was placed not in any one particular corps, but in the whole British army—[Hear, hear!]. In that mutual confidence lay the strength and power of the British troops. The duke of Wellington knew he was safe, when he thus trusted himself to the fidelity and valour of his men, and they knew and felt that the sacred charge thus confided to them, could never be wrested from their hands [Hear, hear!]. He should have been sorry if the votes of that day had passed without his presence, to express his most unfeigned approbation of them. With respect to the loss that had been sustained, and which had plunged so many illustrious families in affliction, he could not advert to that loss without dissenting from an expression used by the noble lord, and lamenting the grievous fact, that they had fallen in the prosecution of a war into which this country had neither occasion or right to enter. Neither the events of victory or defeat could alter the principle of the war, and his opinion remained unchanged upon that subject. He could not sit down, however, without discharging what he considered as an act of duty. He had always been one who looked with an eye of extreme jealousy to the proceedings of ministers; but their conduct in the prosecution of this war, waving for the moment all consideration of its necessity or policy, was such as extorted his applause; and he had no hesitation in saying, that every department of government must have exerted itself to the utmost to give that complete efficiency to all the component parts of the army, which enabled the genius of the duke of Wellington, aided by such means, to accomplish the wonderful victory he had achieved—[Hear, hear!].

The *Chancellor of the Exchequer* begged leave to add this observation, that the army of France which was beaten was a select army, composed of picked troops; whereas the army of the duke of Wellington was not a select army in any sense of the word. Even the British troops that were with him, were only such as the country could spare him, at a time that a strong detachment of its most veteran troops had been sent to America, and had not yet returned.

Mr. *W. Smith* said, he wished it were possible that some other mode could be devised of rewarding such transcendent merit as the duke of Wellington's, instead of a pecuniary compensation. However, as all other modes of approbation were exhausted, he must at least express his desire, that the sum now voted should be employed in the erection of a palace, rather than in purchasing one. Every Briton must look at Blenheim with emotions of pride and satisfaction very different from what would be felt if it were merely a house that had been built for another, and purchased for the duke of Marlborough. For his own part, he would rather add 50,000*l.* more to the present vote, if by so doing he thought the erection of a mansion for the duke of Wellington would be secured.

Colonel *Gore Langton* expressed his warm sense of the merits of the duke of Wellington, and was convinced that no individual in the country, from the first peer to the lowest peasant, would grudge his share of the contribution.

Sir *W. W. Wynn* would prefer a grant of

Crown lands, according to the precedent of the reward to the duke of Marlborough. To that general a considerable grant of lands was given, on the condition only of presenting annually to the Crown a flag embroidered with *fleur-de-lis.*

The *Chancellor of the Exchequer* thought, if a suitable mansion could be obtained at less expense than that which would be incurred by building one, not to adopt the former course, but to erect a palace, would be to sacrifice some of the comforts of the duke of Wellington to national splendour.

Sir *T. Acland* could not but feel anxious to mark the sense of the nation on this victory in the most distinct manner; and he should be much disposed to favour the idea of building a palace, if he did not feel that any suitable mansion purchased for the duke of Wellington in consequence of a vote of that House, would bear the same character which would attach to a palace purposely erected for him. If he thought the effect would not be the same, he would willingly consent to a grant of half a million or a whole one to accomplish so desirable an object. The duke of Wellington had greatly raised the military character of England. In India his conduct obtained for him the approbation of his country: he had been praised as the saviour of Spain and Portugal. One thing only was wanting to complete his own glory and that of his country—a triumph over him who was said to have conquered every other general to whom he had been opposed. This object was gained. It was reserved for his last triumph, to supply all that was wanting to the consummation of his glory. Many had heretofore doubted what would be the result of a contest in which he and Buonaparté fought hand to hand; that doubt was gone for ever. We now saw renewed the splendid days of Cressy and Agincourt, and this we owed to the duke of Wellington, who had now gained the last triumph necessary for his own fame, or for that of his country. This he could wish to have recorded in their proceedings.

Mr. *Whitbread* thought, as the resolution of the House stated the victory to have been gained over the French army under the immediate command of Buonaparté, it would be unnecessary to add that the duke of Wellington had triumphed over the greatest captain of his age.

Mr. Ellison expressed his concurrence in the vote; after which the Resolution was agreed to, *nem. con.*

COMMITTEE OF SUPPLY.] In the Committee of Supply,

The *Chancellor of the Exchequer* rose to propose a grant for the amount of stores captured by the army under the duke of Wellington, during the whole series of campaigns in the Peninsula, to be distributed among the officers, non-commissioned officers, and privates, their widows and children. The right hon. gentleman stated, that the grant now proposed, was the fruit of twelve general battles, and five sieges; and formed also the value of the stores captured on a variety of other occasions. He stated, that this was not near the actual value of the captures, as a great portion had been delivered over to the auxiliary troops serving under the duke in the Peninsula. The amount of the grant proposed was 800,000*l.* instead of the exact valuation which had been laid before the House. The period of the grant comprised the whole period of the Peninsular war, from 1807 till 1814. After some detailed explanations respecting the nature of the stores, and the portions delivered over to the different Allied Powers, he moved "That a sum, not exceeding 800,000*l.* be granted to his Majesty, to be distributed to the officers, non-commissioned officers, and privates, serving in the British army under the duke of Wellington in Portugal, Spain, and France, during the years 1809, 1810, 1811, 1812, 1813, and 1814, for captures taken from the enemy, and appropriated to the public service; and that the said sum be issued and paid without any fee or other deduction whatsoever."

Mr. *Preston* objected to the motion. He thought the right hon. gentleman had chosen a most injudicious time to bring it forward; besides which, he did not conceive there were precedents for such an application of the public money, and was averse from breaking in upon the practice of our ancestors. If such distributions were fit to be a law of the land, an act ought to pass for them; and the army would then be entitled to their regular benefit. It was a bad precedent for future times, and particularly for an army which had been paid as our army had been in the Peninsula.

The *Chancellor of the Exchequer* replied, that so far from taking the House by surprise, in consequence of the auspicious news which had excited the most generous feelings towards the army, he had given notice of his intention to move this grant many days ago, and before any intimation had been received of the late victory.

Mr. *Calcraft* contended, that this was a vote of right, and saw no reason why the army should be deprived of it, any more than of stars and ornaments which were bestowed on them as designations of their bravery. He was sure that no man would hesitate to vote double the sum, though they might vote it with stronger feelings of their hearts on a day like this.

Mr. *Rose* observed that there was nothing new in the principle of the grant. It was thought fit to put the army on the same footing as the navy, in regard to prize-money, as the navy had, from time immemorial, been entitled by Act of Parliament to the proceeds of their captures. This principle had long been acknowledged and acted upon.

General *Gascoyne* contended that the receipt of the value of captured stores had long been considered a matter of right with the army. It was usual for the army to estimate the amount of their prize-money by attaching the value of twenty guineas to each gun that they captured.

Mr. *R. Ward* affirmed, that it was a vested right belonging to the army, and that so far as the Ordnance department was concerned, there was every year an item in the estimates of money for ordnance stores which were captured.

Mr. *Forbes* observed, that from what had been stated by the Chancellor of the Exchequer, it appeared that the sum claimed by the army amounted to 900,000*l.* He confessed, he regretted, that instead of taking 100,000*l.* away from this sum, they had not added 100,000*l.* to it, and made it a neat million. He was anxious that the army should not be deprived of a single shilling of what was their due, and was inclined to move that instead of 800,000*l.* the grant be 900,000*l.*

Mr. *Bankes,* adverting to the right of the disposal of captured property being vested in the Crown, and to the grant arising from an intimation of the Prince Regent to resign this right in favour of the army, wished to know when and how such an intimation had been given? The appropriation of the sum seemed altogether completely new. He should like to accede to what had been done on former occasions; but was not inclined to agree to any vote that should have the consequence of rendering the war we were now engaged in more expensive to the country than it otherwise would be.

Lord *Castlereagh* conceived there could be no danger in agreeing to the vote. It would be deemed extremely unjust and unfair to do less by an act of prerogative in regard to the army than had been done by an Act of Parliament in regard to the navy. It had been a principle, from time immemorial, to give to the navy the value of all the captures they made. But with respect to the army, Government did not buy from them the whole of the stores and property that they captured, but only what was serviceable and useful. Perhaps, if the particular stores in question, which included a vast quantity of provisions, had not been purchased at the time of their capture, our army in the Peninsula might have been in the utmost want of supplies. The grace of the Crown allowed what was valuable to be purchased, and the remainder of the property was got rid of by the army how they could. The vote of the House ought, therefore, to make good the value of what the public bought from them.

A desultory conversation continued for some time on the subject, between Mr. Bankes, Mr. Rose, Mr. Calcraft, sir H. Montgomery, Mr. Lushington, and Mr. W. Smith, in the course of which the last-mentioned gentleman said it would be desirable to know what became of the money, supposing the Crown had not granted to the army the whole amount which the public had paid for captured stores, and to what fund it had been applied. The question for the grant, as proposed by the Chancellor of the Exchequer was then put, and carried.

CIVIL LIST.] The *Chancellor of the Exchequer* next moved, "That a sum not exceeding 534,713*l.* be granted to his Majesty, to make good the deficiency of the Civil List on the 5th day of April 1814: and that the said sum be issued and paid without any fee or other deduction whatsoever." The right hon. gentleman observed, that this excess resolved itself into two branches,—the increase in the diplomatic arrangements resulting from the peculiar circumstances of the war, and the excess in the household. In regard to the latter, after allowing for the expenditure occasioned by the visit of the foreign Sovereigns to this country; and also for the charges incurred by his royal highness the Prince Regent on assuming the royal authority, it would be found that the Civil List had not exceeded that proportion of excess which was estimated by the late Mr. Perceval in 1805. In 1812, there was an excess of expenditure beyond the former year of 124,000*l.*; but it must not be forgotten that a considerable charge was thrown upon the Civil List by the arrangements of that year. It remained for the liberality of Parliament to provide an increase of allowance, for the purpose of meeting the ordinary expenditure without any excess. At present, however, he should merely propose to the House to make good the arrears already incurred.

Sir *C. Burrell* wished to be informed, why no reply had been given to the Address of the House, respecting the regulation of the Household, and whether it was intended to defer the answer till the next session?

The *Chancellor of the Exchequer* said, that the estimates had not yet been received; but he certainly concluded, that his Royal Highness would be recommended to give an answer to the Address before the rising of Parliament.

Mr. *Barclay* was of opinion, that some provision should be made for the liquidation of his Royal Highness's debts, and also that some arrangements should be made respecting the other branches of the Royal family.

The *Chancellor of the Exchequer* said, that a specific provision had been made for the liquidation of those debts which were ascertained when his Royal Highness assumed the Regency. A considerable portion had been discharged, and in no long time the remainder would be liquidated, when an appropriation of 50,000*l.* a year would be placed at the disposal of Parliament. As to the other branches of the Royal family, he did not think it proper for him to make any communication whatever to the House without the express direction of the Crown.

Mr. *Bankes* expressed his approbation of the sum proposed to be granted, and agreed in thinking that the farther consideration of the subject of the Civil List could be better discussed in the next session of Parliament than now. It might be proper to grant an increase of allowance, as the expenditure had progressively increased, in consequence of the price of all articles of consumption having rapidly advanced since the accession of his Majesty, and particularly in latter times; but he trusted, when this increase should be made, that as much care would be taken as possible to prevent a recurrence of arrears.

Mr. *William Smith* complained of the great excess in the Civil List during the three last years, and declared that he gave his vote for the sum with great reluctance. The money, however, must be paid, as the loss would otherwise fall on those who ought not to suffer. If the regulations and arrangements proposed by the select committee upon the Civil List should be adopted, the expense of the Crown would be kept within due limits, and future applications to Parliament for the liquidation of debts would be avoided.

The Resolution was then agreed to.

HOUSE OF COMMONS.

Monday, June 26.

ADDITIONAL GRANT TO THE DUKE OF WELLINGTON.] The Report of the Committee of Supply was brought up, and on reading the resolution for an additional grant of 200,000*l.* to the duke of Wellington,

Sir *W. W. Wynn* expressed his approbation of the vote; but suggested, with a view to commemorate the glorious cause of such a grant, that the same terms should be annexed to it as those upon which the duke of Marlborough held Blenheim, namely, the annual presentation to his Majesty of a flag with a fleur-de-lis. The hon. baronet also thought that some Crown lands should be appropriated to the duke of Wellington, upon which to erect the proposed mansion.

The *Chancellor of the Exchequer* concurred with the hon. baronet, that the performance of some honorary service would be a proper and becoming appendage to the proposed grant. But as to the observation respecting the Crown lands, it would be seen, upon a review of the commissioners appointed to inquire into the state of those lands, that no such grant could be made as the hon. baronet recommended; that, in fact, no adequate estate for the use of the duke of Wellington could be had from those lands.

Mr. *Whitshed Keene* thought that, comparing the services of the duke of Marlborough with those of the duke of Wellington, the grant to the latter was still insufficient; the sum voted to the duke of Wellington would not, in his opinion, purchase an estate of more than 14,000*l.* a year, while the sum of 25,000*l.* per annum was at least necessary to maintain the dignity of this illustrious person's family.

Mr. *Wynn* said, that an adequate estate for the duke of Wellington might be made from the New Forest. He differed from the last speaker, that the sum voted on this occasion was insufficient; for it was to be considered, that in addition to the 700,000*l.* voted, which, including the sum under discussion, would be granted to this distinguished individual, his proportion of the prize-money to be voted for stores captured on the peninsula would be no less than 100,000*l.*

The *Chancellor of the Exchequer* stated, that the proportion alluded to would amount only to 50,000*l.*

Mr. *Wynn* thought, that even with that addition, the amount of the remuneration would be quite sufficient, and worthy of the munificence of the country,—equally honourable, indeed, to the giver and to the receiver.

Sir *C. Burrell* observed, that even if a suitable quantity of Crown lands could be obtained for the purpose under consideration, such ground would not be so much for the benefit of the duke of Wellington, as an estate in cultivation. He recommended that the object be rather to lay out the sum voted in the purchase of a suitable estate, than in the erection of a large mansion, because the latter would be liable to decay to fire, and to other accidents—of course it could not be regarded as an imperishable monument of national gratitude.

The Resolution was agreed to.

CIVIL LIST.] Upon reading the Resolution with regard to the Civil List,

Mr. *Tierney* took occasion to observe, that this subject was, as he had apprehended long since, brought forward at too late a period of the session to undergo any due dicussion. Such a discussion could not indeed take place, as the House knew scarcely any thing of the items of the account to which this Resolution for 534,713*l.* referred, in consequence of the refusal to have the papers respecting it printed. He should not, however, oppose the motion, as it was not, he understood, the intention of the right hon. gentleman to propose any legislative measure upon the subject this session; but he should reserve himself for the occasion in the next session, when he trusted this business would be fully discussed, and he hoped that by that time gentlemen would endeavour to make themselves acquainted with this account. But without going into any discussion at present, he must observe upon the impression produced out of doors in consequence of a strong assertion in that House, that by the arrangement of the Civil List his Majesty was a loser, and the country a gainer, because the produce of the hereditary revenue would be truly more productive than the revenue of the Civil List. This assertion, however, he directly denied; for he could not suppose it was meant to include in the Civil List the occasional grants made to George 2, which grants ceased with that monarch's life. But he wished that gentlemen on the other side would state what they meant by the hereditary revenue; and he hoped the right hon. gentleman would come forward with some distinct statement on the subject before the close of the session.

The *Chancellor of the Exchequer* observed, that this vote was brought under the consideration of the House as soon as it was practicable, quite as soon indeed as it could have been if the Bill had been adopted, for which the right hon. gentleman was an advocate, at an early period of the session. For the accounts respecting the Civil List were laid before the House as soon as that Bill required, and these accounts were immediately referred to a committee, upon whose report the present was founded. He should not enter into the general discussion at present, as he did not mean to propose any legislative measure until the next session; but he hoped that during the recess, gentlemen would thoroughly examine the Report of the Committee, and upon such examination he was persuaded they would come to a conclusion very different from that stated by the right hon. gentleman. It would be seen, indeed, that this Report made an accurate distinction between the hereditary and the temporary revenue of the Crown. The hereditary revenue was in fact the grant made upon the abolition of the feudal rights of the Crown, and he was fully prepared to maintain the assertion, that his Majesty was a loser by the commutation of that revenue for the produce of the Civil List.

Mr. *Tierney* contended, that the hereditary revenue ought to have been distinguished from the temporary.

Lord *Castlereagh* said, that if the Crown had possessed an improvable revenue instead of a fixed one, as was the case with

George 2, it would not only have been prevented from ever coming to Parliament to make good deficiencies, but it would have been left in possession of an aggregate sum of 6,000,000*l.* more than it ever had received since his present Majesty's accession. His opinion, indeed, remained unchanged, that no income in the empire had been so little increased, in proportion to the progressive increase of other incomes, as that of the Crown.

Mr. *Tierney* observed, that it did not require the Report of the Committee to prove what the noble lord had said.

Mr. *Wynn* denied that the hereditary revenue of the Crown was beyond the control of Parliament. If the amount of that hereditary revenue exceeded what Parliament might think necessary for the expenditure of the Civil List, the Crown was bound to apply the surplus towards the payment of the army, navy, or any other branch of expenditure which Parliament might propose; and he would instance, as a proof, the case of king William, whose hereditary revenue was charged with an additional expense of 100,000*l.* a year by Parliament. The revenue of the Crown, whatever might be its nature, was the revenue of the people, and as such, subject to the control of Parliament.

Lord *Binning* vindicated the Report of the Committee, as being drawn up in the only way that could render its inquiries useful.

The Resolution was then agreed to, as were the other resolutions of the committee.

RESOLUTIONS PROPOSED BY MR. MELLISH CONCERNING THE BANK OF ENGLAND.] Mr. Mellish having moved his Resolutions concerning the Bank of England, a conversation ensued, in which Mr. Mellish, Mr. Tierney, Mr. Grenfell, and Mr. Manning participated. It was at length agreed, that the discussion on the Resolutions proposed by Mr. Grenfell and Mr. Mellish should be adjourned to that day se'ennight. The following is a copy of the Resolutions proposed by Mr. Mellish:—

Resolutions proposed concerning the Bank of England.

1.—"That by the Act of 31 Geo. 3, cap. 33, there was allowed to the Bank of England, for the management of the public debt, 450*l.* per million on the capital stock transferrable at the Bank, amounting in the year ending 5th July 1792, to 98,803*l.* 12*s.* 5*d.* on about 219,596,000*l.* then so transferrable; and that by the Act 48 Geo. 3, cap. 4, the said allowance was reduced to the rate of 340*l.* per million on all sums not exceeding 600 millions, and to 300*l.* per million on all sums exceeding that amount; whereby the Bank was entitled, in the year ending 5th April, 1815, to the sum of 241,971*l.* 4*s.* 2¼*d.* on about 726,570,700*l.* capital stock, and 798*l.* 3*s.* 7*d.* on 2,347,588*l.* three per cents. transferred for life annuities; being an increase of 143,965*l.* 15*s.* 4¼*d.* for management, and an increase of about 509,322,000*l.* capital stock: also the Bank was allowed 1,000*l.* for taking in contributions, amounting to 812,500*l.* on a lottery in the year ending 5th July 1792; and 38,798*l.* 19*s.* 2*d.* for taking in contributions, amounting to 46,585,533*l.* 6*s.* 8*d.* on loans and lotteries in the year ending 5th April, 1815.

2.—"That it appears, that the Bank, in pursuance of the Act 46 Geo. 3, cap. 65, has, from the year 1806 to the present time, made the assessments of the duty on profits arising from property, on the proprietors of the whole of the Funded Debt, transferrable at the Bank of England, and has deducted the said duty from each of the several dividend warrants, which in one year, ending 5th April 1815, amounted in number to 565,600*l.*; and that this part of the business has been done without any expense to, or charge on, the public.

"That, in pursuance of the above-mentioned Act, the duties so deducted have from time to time been placed to the 'Account of the Commissioners of the Treasury, on account of the said duties,' together with other sums received from the public by virtue of the said Act: part of this money is applied to the payment of certificates of allowances, and the remainder is paid into the Exchequer.

"That by virtue of the said Act, the lords commissioners of the Treasury have made annual allowances, at the rate of 1,250*l.* per million, upon the amount so placed to the account of the commissioners of the Treasury at the Bank of England, as a compensation for receiving, paying, and accounting for the same; which allowances, however, have not in any one year exceeded the sum of 3,480*l.*, and upon an average of eight years have amounted annually to 3,154*l.* only.

"The amount of duties received for

the year ending 5th April, 1814, was 2,784,343*l.*, which, if it had been collected in the usual manner, at an allowance of 5*d.* per pound, would have cost the public 58,007*l.*; and the cost for collecting 20,188,293*l.*, being the whole of the duty received from 1806 to 1814, on which allowances have been made, would at the same rate have amounted to 420,589*l.*

"That all monies received by the Bank on account of duties on property, are paid into the Exchequer immediately after the receipt thereof: when this circumstance is contrasted with the ordinary progress of monies into the Exchequer, the advantage resulting to the public may be fairly estimated at two per cent.; which, on the amount of duties for the year ending 5th April 1814, would be 55,686*l.*, and on the total amount from 1800 to 1814, would be 403,765*l.*

3. "That the total amount of Bank-notes and Bank Post-bills in circulation in the years 1795, and 1796, (the latter being the year previous to the Restriction on Cash Payments) and in the year 1814, was as follows:

1795,	Feb. 1,	£12,735,520;	Aug. 1,	£11,214,000
1796,	do.	£10,784,740;	do.	£ 9,856,110
1814,	do.	£25,154,950;	do.	£28,802,450

4. "That at present, and during many years past, both before and since the renewal of the charter of the Bank, considerable sums of the public money have been deposited with, or otherwise placed in the custody of the Governor and Company of the Bank of England, who act in this respect as the banker of the public. The average balances of these deposits, both before and after the renewal of the charter, were as follows:—

Public Balances on an average of one year ending Jan. 15, 1800 - - -	£1,724,747
Unclaimed Dividends for the average of one year ending Jan. 1, 1800 -	837,966
	£2,562,713
Public Balances on an average of eight years, from 1807 to 1815 -	4,375,405
Unclaimed Dividends - - do. - -	634,614
	£5,010,019

5. "That it appears, from a report ordered to be printed 10th August, 1807, from "the Committee on Public Expenditure of the United Kingdom," that the aggregate amount of balances and deposits of public money in the Bank of England, including Bank-notes deposited in the Exchequer, made up in four different periods of the quarter ending 5th January 1807, fluctuated between the sums of 11,461,200*l.*, and 12,198,236*l.*; or, excluding Bank-notes deposited at the Exchequer, the amount fluctuated between 8,178,536*l.*, and 9,948,400*l.*; the reason for which exclusion is not obvious, as by the Act of 48 Geo. 3, cap. 3, the Tellers of the Exchequer are authorized to take as securities on monies lodged, either Exchequer-bills, or notes of the Governor and Company of the Bank of England. And it also appears, according to accounts laid before this House in the present session of Parliament, that the aggregate amount of such deposits, together with the Exchequer-bills and Bank-notes deposited in the chests of the four Tellers of the Exchequer, was, on an average, in the year 1814,

£11,966,371.	Including Bank-notes deposited at the Exchequer, amounting to 642,264*l.*
£11,324,107.	Excluding Bank-notes deposited at the Exchequer.

6. "That it appears, according to accounts before this House, that the average of the aggregate amount of balances of public money in the hands of the Bank of England, from February 1807 to April 1815, was 5,010,019*l.*; and that the average of Bills and Bank-notes deposited in the chests of the four Tellers of the Exchequer, from August 1807 to April 1815, was 5,968,793*l.*; making together 10,978,812*l.*, being 850,906*l.* less than the average of the said accounts for one year ending 5th January 1807, as stated in the report of the committee on the Public Expenditure.

7. "That by the 39 and 40 Geo. 3, cap. 28, extending the charter of the Bank for 21 years, the Bank advanced to the public 3,000,000*l.* for 6 years without interest, and extended the loan of 11,686,800*l.* for 21 years at an interest of 3*l.* per cent per annum, as a consideration for the privileges, profits, emoluments, benefits, and advantages, granted to the Bank by such extension of its charter.

That the Interest of 3,000,000*l.* for 6 years, at 5*l.* per cent. per annum, is	£900,000
That the difference between 3*l.* per cent. and 5*l.* per cent. on 11,686,800*l.*, is 233,736; which in 21 years amounts to - - - - - - - -	4,908,456
That the above Loan of 3,000,000*l.* was continued to the Public from 1806, when it became payable, until 1814, at an interest of 3*l.* per cent., making an advantage in favour of	

the Public of 2*l.* per cent., or 60,000*l.* per annum; which in 8 years and 8 months amounts to - - - - -	520,000
That in 1808 the Bank advanced to the Public 3,000,000*l.* without interest, which, by an Act of the present Session, is to remain without interest until the 5th of April, 1816; the interest on this advance, at 5*l.* per cent., will for 8 years amount to - - -	1,200,000

8. "That by the 39 and 40 Geo. 3, cap. 28, sec. 13, it is enacted, that during the continuance of the charter, the Bank shall enjoy all privileges, profits, emoluments, benefits, and advantages whatsoever, which they now possess and enjoy by virtue of any employment by or on behalf of the public.

"That previously to such renewal of their charter, the Bank was employed as the public banker, in keeping the cash of all the principal departments in the receipt of the public revenue, and in issuing and conducting the public expenditure.

That the average amount of the Public Balances in the hands of the Bank, between the 1st of February 1814 and the 15th January 1815, upon accounts opened at the Bank previously to the renewal of the charter on the 28th March 1800, was - - -	£4,337,025
Unclaimed Dividends, for the average of one year ending 1st January 1815	779,794
	£5.116,819

That the average of Public Balances in the hands of the Bank during the same period, upon accounts opened at the Bank between the 28th March 1800 and the 27th Feb. 1808, was -	£370,018
That the average of Public Balances in the hands of the Bank during the same period, upon accounts opened at the Bank subsequent to the 27th Feb. 1808, was - - - - - - - - -	261,162

9. "That whenever the engagements now subsisting between the public and the Bank shall expire, it may be proper to consider the advantages derived by the Bank from its transactions with the public with a view to the adoption of such arrangements as may be consistent with those principles of equity and good faith, which ought to prevail in all transactions between the public and the Bank of England."

HOUSE OF COMMONS.

Tuesday, June 27.

PRINCE REGENT'S MESSAGE RESPECTING THE DUKE OF CUMBERLAND'S MARRIAGE.] Lord Castlereagh presented the following Message from his royal highness the Prince Regent:

"GEORGE *P. R.*

"The Prince Regent, acting in the name and on the behalf of his Majesty, thinks it proper to acquaint this House, that a Marriage, to which the consent of his Royal Highness was duly given, has been solemnized between his brother the Duke of Cumberland and a daughter of the reigning Duke of Mecklenberg Strelitz, niece to her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and relict of the Prince Salms Braunfels.

"The many proofs which this House has afforded of their affectionate attachment to his Majesty's person and family, leave the Prince Regent no doubt of their readiness to enable his Royal Highness to make such provision for their Royal Highnesses on this occasion as the rank and station of their Royal Highnesses may appear to require."

Ordered to be referred to a committee of the whole House to-morrow. In the course of the evening,

Mr. *Bennet* begged leave to inquire of the right hon. gentleman opposite, whether he knew it to be the intention of the noble lord to submit any proposition to the House in consequence of the Message which had been that day brought down respecting the marriage of the duke of Cumberland, and if a grant was to be proposed, he wished to know whether the right hon. gentleman could state the probable amount of that grant?

The *Chancellor of the Exchequer* said, it was evident from the terms of the Message that a proposition for a grant to the duke of Cumberland would be made; but to what extent it might be, he was not at present prepared to say.

Mr. *Tierney* asked the right hon. gentleman if he could inform the House when the marriage took place, and why the communication which had now been made was so long delayed? He thought it would have been but fair, to inform the House what was the nature of the provision intended to be proposed.

The *Chancellor of the Exchequer* said that no unusual or unnecessary delay had occurred in making the communication to Parliament; and with respect to the intended amount of the grant, he believed such a question had never been asked, nor such a communication ever made, till the day on which the subject was regularly brought forward.

PRINCE REGENT'S MESSAGE RESPECTING A VOTE OF CREDIT.] The Chancellor of the Exchequer presented the following Message from the Prince Regent:

"GEORGE P. R.

"The Prince Regent, in the name and on the behalf of his Majesty, considering that it may be of very great importance to provide for such emergencies as may arise, and relying on the experienced zeal and affection of the House of Commons, trusts that this House will enable him to take such measures as the exigency of affairs may require."

This Message was ordered to be taken into consideration to-morrow.

Sir *M. W. Ridley* announced his intention of opposing the grant of any further sum of money, because he could see no reason to call for the additional provision, under existing circumstances. The hon. baronet was proceeding, when

The *Speaker* called him to order, observing, that upon giving notice of a proceeding, it was not regular to enter into a statement of reasons.

Sir *M. W. Ridley* said, that he did not desire to persevere, but he thought it his duty to take the earliest opportunity of objecting to any proposed addition to the burthens of the country.

IRISH FINANCES.] The Report of the Select Committee on the Public Income and Expenditure of Ireland having been entered as read,

Mr. *Vesey Fitzgerald* said, that as he did not apprehend the motion he should have the honour of submitting to the House would meet with any opposition, it would not be necessary for him to enter into any detailed observations upon the subject. The House was aware that a committee had been appointed this session, similar to that which had been appointed on a former session, to inquire into the state of the finances of Ireland; that committee, after very mature deliberation, made a Report, which, in consequence of the very voluminous Appendix which was subjoined to it, could not be printed and delivered to the members before this day; he should therefore deem it unfair to enter into any discussion upon the subject now, even if he did not intend to submit the motion with which he should have the honour of concluding. After examining into the state of the finances of Ireland, the committee came to a resolution, which they considered themselves competent to do, under the Act of Union, of recommending a consolidation of the Exchequers of the two countries. He was aware that there prevailed in the committee a difference of opinion upon the construction of the 7th article of the Union, and if the question were now to be discussed, he should feel it necessary to justify the principles upon which the committee had proceeded; but as that was not the case, he should abstain from offering any arguments upon the subject; at the same time the House would feel that it was right to mark its sense of the importance of the subject, by coming to a resolution to take the Report into consideration early in the next session. There were many reasons, even if he were speaking at an earlier period of the session, why the House should postpone the consideration to the next session. The object of the proposition was to alter the whole financial state of Ireland, and it was therefore highly necessary that the public of that country should be fully apprized of the extent of the measure, and of the manner in which it would affect them, before it was definitively adopted. He should therefore not trouble the House any longer, except to read the last paragraph of the Report, which recommended the consolidation of the two Exchequers. Mr. Fitzgerald having read the paragraph, concluded with moving, "That this House will, at an early period in the next session of parliament, take into consideration the said Report."

Mr. *Bankes* said, he should follow the example of moderation which the right hon. gentleman had set to him, and abstain from entering into the discussion at present. In all that he had said of the importance and magnitude of the subject he fully concurred: he concurred, too, in the propriety of deferring the consideration until the next session. He was one of those who differed from the right hon. gentleman and from the majority of the committee, in opinion respecting the constitution of the 7th Article of the Act of Union. He thought they had taken an erroneous view of the whole question. He did not deny, however, that many good results might follow from the adoption of the recommendation of the committee, and from the proposed union of the two exchequers. He could not avoid taking this opportunity of doing justice to the abilities of the right hon. gentleman. Whatever course might be taken, he should regret any measure which should deprive the country of the right hon. gentleman's services; he had often differed from him, but he had at all times been sensible of the great talents and knowledge which he possessed, of the candour which he had upon all occasions shown, and of the zeal, the fidelity, and distinguished ability with which he had discharged all his public duties. He had adopted the financial system which he found acted on by others; if in his (Mr. Bankes) opinion he had followed it too long, he had, on the other hand, showed energy and great ability in his efforts to ameliorate the financial state of Ireland. If these were faults, they were the faults of those who had preceded the right hon. gentleman; the merits of improvement were all his own.

The Resolution was agreed to.

ASSIZE OF BREAD REPEAL BILL.] On the motion for the second reading of the Bill to repeal the law with regard to the Assize of Bread,

Mr. *Calcraft* expressed a wish that this motion should be postponed, as he, among others who applied, had not yet been able to obtain from the Vote-office a copy of the Report of the committee upon which the Bill was founded. This was, besides, a matter of such general interest, that he thought it ought not to be passed until the next session, in order that the public should have sufficient opportunity to consider its merits. For himself, he declared an inability to comprehend how the public could be benefited by a measure of this nature. There was no assize law as to beer, and yet that article had not become cheaper on that account. The assize law only fixed the maximum at which bread should be sold, but by no means prevented bakers from selling at a cheaper rate if they thought proper.

Mr. *F. Lewis* regretted, that the hon. gentleman should experience any difficulty in procuring the Report of the Committee; but he saw no reason why the second reading should be delayed, as the measure had been already so long under consideration, and as the session was not likely to continue many days.

Mr. Alderman *C. Smith* had no objection to the Bill, but wished that the bakers should be protected.

General *Thornton* was anxious that the Bill should be passed with all convenient expedition, and wished that its provisions were extended throughout the country.

Mr. Alderman *Atkins* thought that the House should be very cautious how they overturned a system which had stood the test of 700 years. The principle of the Assize Law was, in his opinion, unobjectionable, although the mode of taking the assize was imperfect, and required modification. It was known that the chandlers settled among themselves the price at which candles should be sold per dozen, and would it not be better for the public that this price should be settled by the magistrates than by interested parties?

Mr. *R. Smith* declared, that he had not yet seen the Report alluded to.

Mr. *F. Lewis* argued at some length in support of the Bill. The total repeal of the Assize Law would, he said, alone be effectual, and this was demonstrated by a mass of evidence examined before the Committee; from which it appeared, that no modification would avail to produce the desired effect. The Assize Law had, in fact, uniformly served to render bread dearer instead of cheaper, and bread was notoriously lower in those places where no Assize Law prevailed. The hon. alderman (Atkins) had no doubt asserted the tendency of this law to reduce the price of bread, and yet that alderman was among those who contributed so much to agitate the public some time ago, by alledging, that if wheat were at 80*s.* a quarter, bread must be sold at 16*d.* a loaf. Yet if such were the effect, a quantity of wheat which would sell at 4*l.*, would in bread produce 7*l.* 14*s.* So much for the profit of the bakers, and the consequences of that system of assize, for which the hon. alderman was an advocate upon this occasion. It appeared in evidence that the assize was not merely the maximum, but afforded a pretext for keeping up the high price of bread. For the witnesses examined before the Committee, generally answered, that no respectable baker would sell bread at a lower rate than that fixed by the assize, because bread so sold was generally considered of inferior quality. Then as to the manner of fixing the assize, it mattered nothing to the baker at what price flour was sold under the existing law, because that price settled the price of the loaf, and that might be easily fixed by arrangement between the mealman and the baker; which arrangement was indeed the more easy, as the latter was generally the agent of the former. The latter, in fact, who was often a very poor man, had his flour at long credit from the former; and yet the price settled upon such credit, formed the standard by which the price of bread was fixed. It was obvious, therefore, that the public must suffer under the existing law, and that such a law ought to be abolished. The evil was inherent in the law, and no modification as to the mode of fixing the assize could avail. Another modification which he intended to propose in the committee, was to amend the law as it now stood, imposing a penalty on the baker for any bread which he might have on his premises being short of weight, and to inflict the penalty only for such bread as he might offer to sell or actually sell, under the full weight provided by act of parliament. He would also, of course, abolish the right of searching the premises for such bread, as it was often a great oppression upon a man to be fined for certain loaves being deficient in weight, which perhaps were never intended to be offered for sale. He agreed with the hon. alderman that the passing this Act was only an experiment, as was the case indeed with almost every act which that House passed; but he thought it impossible to make the experiment fairly, without wholly repealing the present law. He was anxious that the measure should be carried with as little delay as possible, and therefore should propose that the Bill be committed on Friday.

The *Chancellor of the Exchequer* suggested, that as little time should be lost as possible in the present advanced state of the session.

Mr. *Tierney* thought it would be better to pass such a measure at the commencement rather than at the end of a session, because there would then be time to mark its operation, and to amend it if found deficient.

Mr. *Whitbread* concurred in the opinion expressed by his right hon. friend, and thought that it would be better to make the Bill as perfect now as possible, and then leave it to be taken up again and passed at the beginning of the next session.

Mr. *F. Lewis* said, that one argument, and a very strong one, for passing the measure now might cease to exist at the commencement of the next, or of any other session; he meant the present low price of corn; at the same time he was disposed to meet the wishes of the House.

The Bill was then committed for Friday.

Stamp Duties Bill.] The Chancellor of the Exchequer moved the order of the day for going into a consideration of the Report of the Stamp Duties Bill.

Mr. *Bankes* said, that this was a subject of the utmost importance, and he would not suppose his right hon. friend could think of bringing it forward in so very thin a House. He was undoubtedly in their power, but he did not wish to take advantage of there not being a House, in order to impede the business of his Majesty's Government. The public, however, were at the same time so materially interested in many points of this subject, which remained yet unsettled, that he hoped his right hon. friend would name some day for a discussion of the subject, when a fuller attendance might be expected.

The *Chancellor of the Exchequer* said, that after the candid manner in which his hon. friend had stated his wish for a postponement of the business, he would not press it at present; but would take the opinion of the Speaker whether the amendments proposed might not be taken on the Report, as it would tend materially to expedition, if the other parts could be taken into immediate consideration.

Mr. *Grenfell* said, he had an amendment of considerable importance to propose relative to the composition which had been made with the Bank respecting the stamps on their notes. As the Act stood, that composition had been made on an average of three years: now he thought that it should be on the average of the last year. By the clause now in the Bill, the Bank would pay 87,500*l.*; whereas by the effect of the clause he had to propose, the Bank would pay 100,000*l.* The Bank had received immense advantages. Since 1789, the loss to the public, in consequence of these advantages, had not been less than half a million; and he saw no reason why the public should longer submit to be such losers. If, therefore, he should not stand in a worse situation, but could move his clause with equal effect on the Report, he should have no objection to take the debate on that stage of the Bill; but if he could not have that advantage, he should certainly give it his opposition.

The *Chancellor of the Exchequer* appealed to the authority of the Chair.

The *Speaker* expressed his opinion to be, that such a clause could not be introduced on the Report, because by the clause now standing in the Bill a tax was imposed on the Bank of a certain sum. This had been done by a committee of the whole House; and as the clause intended to be proposed by the hon. gentleman would go to impose a higher tax on an individual (for the Bank in this case must stand in the light of an individual), he was of opinion that according to the forms of the House such a clause could not be admitted, nor properly taken into consideration but by a committee of the whole House.

Mr. *Thornton* said, that when the hon. gentleman should make his motion for augmenting the Stamp Duties on the Bank, he, and the gentlemen concerned in conducting its affairs, would be prepared to defend the composition it had made. He should also be ready to affirm, that the exemption from stamp-duty, on payment of the then composition, was considered in the price of the charter. He complained that the hon. gentleman should indulge in reflections on the Bank, and depreciate the high character and credit of that corporation, which had rendered such essential service to the public, when the business was not before the House in a state that admitted his reflections to be answered.

Mr. Forbes and Mr. Majoribanks also offered some observations respecting the notes of Country Banks, and particularly adverted to the heavy operation which the Act would have on the Banks of Scotland. The latter gentleman expressed his hope that the Chancellor of the Exchequer would drop the tax altogether, as it was intended to affect the Scotch notes.

Mr. *Giddy* hoped the Chancellor of the Exchequer would abandon the tax upon periodical publications and pamphlets, and upon the advertisements which the publishers of those works attached to their covers, announcing such other works as were in a state of publication. He considered such a course important to the diffusion of knowledge; and as the produce of the tax was but trifling, he hoped the right hon. gentleman would adopt his suggestion.

The *Chancellor of the Exchequer* said, the tax had originated with queen Anne, and if it was objectionable, the ministers of the present day were not liable to reprehension as its inventors. It had hitherto been a productive tax, and in the present state of the country, he did not feel that he should be authorized in abandoning it.

General *Thornton* suggested the expediency of imposing a tax on pamphlets, similar to that on newspapers, by which they could be sent post-free. This, he thought, would be more productive to the revenue, and would tend materially to the diffusion of knowledge.

The *Chancellor of the Exchequer* said, that any person might now have their pamphlets stamped in this way, and sent post-free.

After some further conversation, the House went into a Committee.

HOUSE OF LORDS.

Wednesday, June 28.

PRINCE REGENT'S MESSAGE RESPECTING THE DUKE OF CUMBERLAND'S MARRIAGE.] The order of the day for taking into consideration the Prince Regent's Message respecting the marriage of the duke of Cumberland having been read,

The Earl of *Liverpool* said, that in proposing an Address in answer to the Message, he should only think it necessary to state the nature of the provision which was intended to be made. In was an addition of 6,000*l.* a year to the Duke's income; with a jointure to the same amount to the Duchess, if she survived his Royal Highness. He concluded by proposing an Address, to thank the Prince Regent for his communication, and expressing their readiness to concur in any measures which might be necessary for the support of the dignity of the Royal Family.—The Address was agreed to.

VOTE OF CREDIT.] The Earl of *Liverpool* then moved the order of the day for the consideration of the Prince Regent's Message respecting a vote of credit. The Message being read, his lordship observed, that this was the usual message at the close of a session, for placing an unappropriated sum at the disposal of Government to answer any exigencies that might arise in the course of public affairs. It could not be expected that at this moment he should enter into any detailed exposition of the state of public affairs. Upon this vote the subject was undoubtedly open to discussion; but he believed it would be generally felt not to be expedient to raise any such discussion at this time. This, however, would, he imagined, be universally admitted, that it was of great importance to enable Government to prosecute the contest with the utmost possible vigour, in order to secure that object which was the only proper and legitimate object of all our warlike exertions—a just and honourable peace. Deeming it improper, then, at this period, to enter into any details respecting the situation of public affairs, he should content himself with barely stating, that the sum to be taken in the vote of credit was six millions. He then moved an humble Address to the Prince Regent, thanking him for his gracious Message, and echoing the Message in the usual manner.

Lord *Grenville* said, he did not rise to oppose the motion, which, on the contrary, had his most cordial approbation. Nothing could be more proper at the present crisis, than that ample means should be put in the power of the Crown to turn to the best advantage the great exertions which had been made, and were now making, and at length to bring the whole to an honourable and permanent conclusion: and, indeed, so very proper and expedient in every point of view did this appear to be, that he should not have thought of troubling their lordships, even with a few words, had he not been desirous of doing that duty to his country and to its noble defenders—that justice to his own feelings—which he had not an opportunity of doing on the occasion, when the subject was brought more directly under the consideration of their lordships. He had, in truth, conceived that his parliamentary duties had been finished for the session; but being in town, and understanding that this business was to be brought forward this evening, he resolved to come down, in order to add his humble tribute of applause to those sentiments of deep and heartfelt approbation which their lordships and the whole nation had expressed towards the truly noble and gallant men who had a share in that signal and distinguished achievement which filled the heart of every Englishman with joy and exultation. It was only from not being aware, in time, of the day when the thanks of their lordships were to be voted, that he was prevented from attending his duty in the House on that occasion, and joining the expression of his admiration and applause to that of their lordships and the country. No distance of place, no consideration of personal convenience, would have prevented him from coming forward to discharge so sacred a duty. Nothing of that description would have prevented him from doing himself the pleasure to state how warmly he concurred in every mark of gratitude and approbation that could possibly be offered to those who had contributed to the splendid and glorious achievement to which he alluded: but, indeed, it was hardly necessary to state his concurrence; for whatever might be the difference of opinion as to the necessity and justice of commencing the war, when once we were in it, all must concur in the proposition that it ought to be carried on with the utmost vigour; and when intelligence was received of this almost unparalleled event, the heart of every one who felt as a man, and an Englishman, must have beat high at the elevation on which his country was placed by an achievement so truly glorious and magnificent: for he would venture to say, that this country was, by this event, raised to a pitch of elevation which it had never before occupied, even in the most splendid periods of its history. It was an achievement, not only never surpassed in the history of Britain, but one which had never been overmatched by any exploit recorded in the history of the world. [Hear, hear!] Our gratitude and admiration ought, therefore, to be as unbounded as the merits of that renowned commander and that gallant army, who had raised so proud a monument to the fame and honour of their country, and contributed in such a wonderful manner to the great object of placing its safety and prosperity on a secure and permanent foundation. Ask the Commander to whom all this was owing, and he would tell them that it was owing to the invincible obstinacy and unshaken courage, to the character and composition of the troops which he had the happiness to command. Ask the troops to whom it was owing, and they would tell them with one voice—for so it appeared by letters as well as by verbal communications from those who were eye-witnesses of the scene—that it was owing to the unparalleled exertions, the matchless skill, and unequalled merits of the Commander. Ask their country to whom it was owing, and the nation with one voice would say, that it was to the valour and merits of both. The Commander was worthy of the charge of calling forth the qualities and directing the energies of such troops; the troops were worthy of being led to victory by such a commander. [Hear, hear!] But it was not merely with a view to the fame and military glory of the country, that this event was important. It was of vast consequence with a view to that which was alone the just and legitimate object of war—the attainment of an honourable and permanent peace; and he trusted that this grand achievement would be attended with the desirable effect of at length securing to the nation that peace so much wanted. He did not mean perpetual peace, for that would be a vain expectation; but he trusted it would have the effect of relieving the country from the pressure of perpetual war, or from such a state of peace as must be attended with the apprehensions and burthens of a dangerous war, and was worse than war itself. The present contest was, in his opinion, most just and necessary in its commencement, and one which ought to be prosecuted with a vigour and decision worthy of its object; and he was ready to give his tribute of approbation to those by whom the means of producing such a splendid result had been furnished. The contest was commenced as the last effort necessary to secure to the nation the benefits of upwards of twenty years active exertion, and he trusted that now at last this country and Europe would be suffered to enjoy the blessings of peace. It was true the boon, if it could be obtained, must be considered as having been purchased at the expense of the most valuable lives which this country had ever produced; but even those who were most nearly connected with those departed heroes, and who most deeply felt and lamented their loss, even they must confess that their blood had not been shed in vain, if it purchased the permanent safety, tranquillity, and prosperity of their country and of Europe. It was to be hoped, that care would now be taken so to improve our success as not to allow this great object again to elude our grasp. If he could perceive any disposition among their lordships, any disposition in Parliament, or in the nation in general; if he could perceive any disposition in those to whom the administration of the government was entrusted, to remit our exertions, and to leave the great object unaccomplished; if he were to see them inclined, from a spirit of premature accommodation, or false notions of magnanimity, from a wish immediately to relieve the country from its burthens, or from a desire on the other hand to insist upon any thing which ought not in justice and honour to be demanded; if he were to see the ministers of government, from these or any other motives, prepared again to give up our advantages, and leave Europe exposed to new wars and fresh convulsions, then, and then only would he say, that the best blood of Britain had been shed in vain.—[Hear, hear!] But he had no reason to apprehend that this would be the case. The universal opinion in their lordships House, and the other House of Parliament, and he trusted the unanimous sentiment of the nation was, that our exertions must be prosecuted with vigour till the great object of the war, of all our exertions and sacrifices, should be fully and permanently obtained. He had every reason to believe that such was the feeling and opinion of the members of Administration, and it was in that confidence only he wished to mark the circumstance—it was in that confidence only that he gave his most entire and cordial assent to this proposition.

The motion was then agreed to, *nem dis.*

HOUSE OF COMMONS.

Wednesday, June 28.

Motion respecting Mr. Mallison's Invention.] Sir *Francis Burdett*, in pursuance of his notice, rose to call the attention of the House to the invention of Mr. Mallison, for preserving the lives of shipwrecked mariners. This subject, indeed, had been frequently before them, and he was quite at a loss to conceive on what grounds they could refuse to inquire into the expediency of adopting the invention. The Report of the Committee appointed to examine into the benefits to be produced by this invention had declared, that it would tend to save many valuable lives; and, indeed, it was obvious to him, that Mr. Mallison had applied the power of cork to a purpose more beneficial than was ever before known. If this were true, the House ought not to refuse to make him an adequate remuneration, particularly as large sums had been voted to other gentlemen for their inventions. Captain Manby and Lieutenant Bell had received considerable compensations for their services to the public, and there existed no reason whatever why Mr. Mallison should be neglected. His invention was not only useful to the navy, but also to the army, as it would tend to save men who were wrecked in transports at sea; and when it was considered that 19,000 men of all descriptions had perished by shipwreck during the last year, no one, he thought, would question the expediency of adopting an invention which might save the lives of so many of his Majesty's subjects. The utility of the invention could not, he thought, be disputed, after the report of a committee of that House in its favour, and after the several testimonies from naval officers, as to its efficacy in saving seamen; some of which testimonies the hon. baronet read to the House, especially a letter from captain Harris, stating a case in which a boat's crew, employed to assist a transport which had got on the breakers, in the port of St. Andero, derived the utmost advantage from the use of Mr. Mallison's Seaman's Friend, while another boat's crew, which attempted to follow the former, was entirely lost. He therefore hoped, that as one committee had been appointed to examine into the facts, there would be no opposition to a committee to inquire into the expediency of carrying into execution Mr. Mallison's plan for saving the lives of seamen and others, whose lives might be endangered by shipwreck, and by the upsetting of boats. He concluded with moving, "That a Committee be appointed to inquire into the expediency of carrying into execution Mr. Mallison's plan of an institution for saving the lives of shipwrecked men, and men exposed to danger from boats upsetting."

Mr. *Rose* said, that the plan of Mr. Mallison had been tried in his presence, as a member of the committee to inquire into the merits of the invention; and his cork jackets did certainly serve to keep men afloat, who were incapable of swimming. But the cork jackets of Mr. Mallison proved to be really little more than the ordinary cork jackets. Yet Mr. Mallison had been rewarded for his invention, for he had been granted 100*l.*, which, in his opinion, was sufficient. As to the motion, the fact was, that whether it were agreed to or not was not material to the saving of life or property from shipwreck; because, if the invention of Mr. Mallison, as it was called, were really useful, it would reward itself, for it would be generally purchased; but it was no proof of the accuracy of the hon. baronet's information, that those cork jackets were not found to be much in demand among the mercantile officers or seamen, who would of course buy them, if assured of their utility. He did not wish to oppose a reward where any man was fairly entitled to it, especially where lives could be saved; but, in the present instance, he did not think that any farther remuneration was necessary.

Sir *Joseph Yorke* ridiculed the idea of those jackets affording any security for seamen belonging to a man of war. For unless every seaman were dressed in a cork jacket, how was one to be flung to Jack, if he fell overboard while the ship was going at the rate of five or six knots an hour? He believed the plan to be wholly destitute of that practical utility which could justify the House in acquiescing in the motion. The great and only merit of Mr. Mallison's invention appeared to be, to have proved that cork was of a light and floating nature.

Mr. *Whitbread* said, that the committee had reported favourably of this invention; and as to the 100*l.*, it was given, not by way of reward, but to protect Mr. Mallison against the expenses of bringing witnesses before the committee. He thought it would be a very good thing, if a certain number of these cork jackets were on board every ship of war and merchant-vessel. With regard, however, to the invention of captain Manby, it was quite distinct from that of Mr. Mallison; and he should be glad to know what steps had been taken for rendering effectual captain Manby's plan. He had heard that, notwithstanding the utmost exertions made by that ingenious man, it had not been carried to its full extent. Great advantages were to be derived from it, and he thought the inventor ought to be better rewarded.

Mr. *Rose* stated, that the Secretary for the Home department and the Admiralty, vied with each other in promoting the use of captain Manby's invention, and in consequence no less than 120 stations were already fixed upon where materials where to be placed, in readiness for the execution of this meritorious plan for saving the lives of seamen.

Mr. *Bathurst* bore testimony to the eagerness of Government to give every possible facility to captain Manby's plan.

Mr. *Wynn* hoped that no means would be neglected by his Majesty's ministers to bring that most beneficial invention into general use. Upwards of a hundred lives had already been saved by it. He thought, however, that some compensation should be given, not only to the men who lost their boats, but also to the families of such as perished in their exertions; for he believed that many were afraid, as the case now stood, of leaving their wives and children unprovided for.

Mr. *Rose* replied, that the measure recommended by the hon. gentleman already formed part of the plan.

Sir *Francis Burdett* said, that a right hon. member had stated, that Mr. Mallison's plan could not be called an invention, on account of its great simplicity; but he should think, that that fact constituted its greatest merit. As to what had been mentioned respecting a compensation to the families of those who lost their lives under captain Manby's plan, he thought it would be a much cheaper and more beneficial measure to encourage a plan that would prevent their lives from being lost. The cork jacket was much more simple and useful, and many naval men had testified their approbation of it. Captain Harris, in a letter dated Spithead, 1814, had declared, that it perfectly answered all purposes; and he instanced a case where the crew of a boat, going to the relief of a transport, had been saved, while a boat belonging to another ship, which attempted to follow, was upset, and the whole of the lives lost, in consequence of the men not being clad in the jacket.

Mr. *W. Smith* said, that without going into the comparative merits of the two inventions, he thought that Mr. Mallison had, at least, the merit of great perseverance; and he most sincerely hoped that some public notice would be taken of his plan, in order that it might be brought into general use. If encouragement were afforded by the public boards, a great number of lives might be saved. Mr. Mallison had written him a letter on this subject, wherein he stated, that three sloops were recently lost, and almost all their crews perished, whose lives might have been saved by the use of his jacket.

Mr. *Wilberforce* was happy to hear that rewards were given to those who risked their lives under captain Manby's plan, and hoped that Government would employ every exertion to carry it into complete effect.

The question was then called for, and the House divided:

For the Motion 27
Against it 92
Majority .... —65

PRINCE REGENT'S MESSAGE RESPECTING THE DUKE OF CUMBERLAND'S MARRIAGE.] Lord *Castlereagh* having moved that the House should resolve itself into a committee to consider the Prince Regent's Message respecting the marriage of the duke of Cumberland, said, that in submitting to the Committee the motion which he should have the honour of proposing, he should not feel it necessary to trouble the House with many observations; for he could not conceive, under all the circumstances of the case, any grounds upon which it was likely to be opposed. He was aware, indeed, that in the present state of the country, any proposition for throwing an additional burden upon it, might be received with extreme jealousy and reluctance; yet, consistently with the principle upon which Parliament had acted in similar cases, he could not imagine any wise ground of opposition. When any branch of the Royal Family married with the full consent of the Crown, which in this case had been obtained, he apprehended it had always been the course pursued by Parliament to make an adequate provision for such branch, so as to enable it to support the expenses incident to that situation, and to secure a reasonable provision for the Princess who might happen to be the consort, in the event of surviving her husband. The principle on which that had always been done was one so simple and obvious, that if no prejudice prevailed, it would naturally suggest itself; for the House was aware, that the provision granted to the younger branches of the Royal Family, was calculated with a view to their having merely to support an establishment as unmarried individuals. With respect to the amount of provision already made by Parliament for those younger branches, the House knew that it amounted only to 18,000*l.* a year, subject to the deductions for the Income Tax. It was evident, however, that if that sum was thought to be a liberal allowance for those illustrious individuals in their unmarried state, it could not be considered as an adequate one for maintaining with due splendour and dignity their rank and character when married. What he intended to propose, therefore, was that the sum of 6,000*l.* per annum should be granted to their royal highnesses the Duke and Duchess of Cumberland, for their joint lives, and in the event of the Duchess of Cumberland surviving her husband, that she should enjoy the 6,000*l.* as her dowry during the term of her natural life. He trusted the question was one so simple in itself that it did not require the support of argument, because it rested upon a recognized principle, that the grant was necessary from the situation in which the illustrious Duke was placed. If some arrangement of that kind was not made, his income would not be adequate to his condition as a son of the King of Great Britain, and whose children might one day inherit the crown of England. He trusted the House would feel that the grant which he had proposed was taken upon as moderate a scale as possible; and he hoped it would be received in that spirit of attachment to the reigning Family which Parliament had always manifested upon similar occasions. The noble lord then moved,

"That it is the opinion of this committee, that his Majesty be enabled to grant a yearly sum of money out of the consolidated fund, not exceeding in the whole the sum of 6000*l.* to take place and be computed from the 5th day of July, 1815, towards providing for the establishment of their royal highnesses the Duke and Duchess of Cumberland, and to be settled on her royal highness the Duchess of Cumberland, in case her royal highness should survive his royal highness the Duke of Cumberland."

Mr. *Whitshed Keene* said, that no man was more attached to a limited monarchy than himself, or more sensible of all the advantages enjoyed by those who lived under one; and in consequence of that attachment he was always ready to contribute whatever was really necessary for supporting the dignity of all the branches of that family by which limited monarchy in this country was upheld. He must say, however, that this did not appear to him an application to which Parliament ought to accede. The duke of Cumberland already possessed 18,000*l.* a year; and that income, added to some peculiar privileges which he enjoyed, afforded him more means of liberal expenditure than 22 or 23,000*l.* a year would to any other; and especially if the Royal Duke should reside abroad, it would be equal to 30,000*l.* a year. He confessed that when he considered the number of claims which existed upon the liberality and bounty of this country, when he remembered how much misery had been created by the late glorious victory, and which the benevolence of Parliament might help to alleviate, he should feel more pleasure in voting four times the proposed sum for any of these purposes, than in granting the present one to the duke of Cumberland. He felt every respect for the branches of the Royal family, and wished to see their dignity properly supported; but he really could not concur in this vote, for the reasons he had stated. The hon. member then adverted to the superior merits of the duke of Wellington as compared with those of the duke of Cumberland, and contended, that if the country had any money to spare, it should rather be given to augment his allowance, and to relieve the sufferings of his brave army and their relations.

Sir *M. W. Ridley* said, he would not yield to the noble lord, or to any man in the country, in the esteem and respect which he bore for every branch of the Royal family, nor was any one less inclined than himself to take from them whatever was necessary for the due maintenance of their splendour and domestic comfort; but in speaking his sentiments in that House without reserve, he apprehended he proved himself as great a friend to monarchy, as he should by giving a tacit vote upon the subject. In his opinion, nothing came near to this question as a precedent, except the marriage of the duke of York, which only bore to it a very remote analogy. On making a provision for the duke of York, a view was had to the probability of the succession of his marriage, as the Prince of Wales entertained at that time no idea of marrying. But a material change had since occurred; and God forbid that the hopes and expectations of the loyal people of this country should not be realised in the princess Charlotte. With respect, however, to the marriage of the duke of Cumberland, it was not one which ought to be looked at in a national point of view, or which rendered it necessary on this ground for Parliament to step in to vote a grant for increasing the income of the parties. If their royal highnesses were to live in a foreign country, he could see no reason for any new grant to increase their allowance; but if they intended to reside in this country, the matter would certainly be materially changed. As long as this illustrious person might choose to live abroad, there would be no ground for taking 6000*l.* a year out of the pockets of the people. Certainly if their royal highnesses were to fix their permanent residence in this country, a due degree of splendour and magnificence would be desirable, and thus the grant would be less objectionable. On the whole, however, under the present circumstances of the country, he was not inclined to agree to the vote. The hon. baronet concluded with correcting a mistake in some reports of a few words which he had said on a preceding evening, and which represented him as having expressed his intention to oppose the motion that was about to be made for an additional vote of credit. He had no such intention, but had merely alluded to his intended opposition to the question now before the House.

The *Chancellor of the Exchequer* contended, that it was the custom of Parliament, upon the marriage of any branch of the Royal family, to provide the means of supporting the establishment incident to such a condition, with proper dignity and splendour; and indeed the House could not but be aware, that the support of the monarchy itself was intimately connected with enabling the Royal family to maintain that kind of splendour which was naturally expected from it, and which it would be an unwise economy on the part of that House to limit. The question, therefore, was, what sum would be necessary, on the present occasion, to enable his royal highness the duke of Cumberland to support that requisite splendour; and he thought his noble friend had fixed it upon as small a scale as was possible. The hon. baronet who spoke last had laid great stress upon the intelligence he had received, that their royal highnesses intended to reside abroad; but was it for that House to say that they should from necessity reside out of this country—to compel, by its parsimony, a branch of the Royal family so near in the succession to the crown, though certainly not likely to fill it, to banish himself as it were, to a foreign kingdom? Another supposition had been adverted to in the course of the debate, namely, that the proposed grant would interfere with the other supplies for the public service, or acts of becoming liberality; and certainly if he thought that were likely to happen, he should be induced to weigh with the most scrupulous accuracy which of the various cases was most urgent and necessary: but feeling as he did, that that House would not stint any branch of the public service, nor withhold any becoming liberality, he could not but consider the present among those claims that ought to be complied with.

Mr. *Whitshed Keene* explained. He was of opinion, that public services of importance were kept back by grants of this description. The vote to the army ought not to have been curtailed; and, he thought it would be better to give the sum now called for, in addition to what had been already granted to them, than to appropriate it to the use for which it was now demanded.

Mr. *Bennet* said, that some communication should have been made to Parliament on this subject, long before the Message had been brought down; since it was generally supposed, that an event of this kind had been in contemplation for a considerable period. He was surprised that this proposition should be brought forward now, within a fortnight of the termination of the session, when there were few members in town. But he had remarked, that, when a sum of money was to be moved for, which ought not to be granted, it was always called for at a season like the present, when the House was very thinly attended. He should consider the subject, first, with reference to the situation of the country, and next with relation to the person in whose favour the grant was proposed. In his mind, the present time was very unfit for making an application for an additional sum, although it was not of great magnitude. An hon. gentleman below him had most truly stated, that, if a single shilling could be spared, it ought to be given to those brave men who had so nobly and so successfully fought the battles of their country. This observation was more particularly entitled to attention, when the House recollected the immense sum which the Royal family at present received. The Crown, at this moment, enjoyed a revenue for its own purposes, little short of a million per annum. The expenditure of the year 1814 was upwards of 900,000*l.* Looking to this circumstance, he, for one, was ready to say, that this additional sum ought not to be granted. As to the person in whose behalf this proposition was made, he would plainly state, that whatever respect he felt for the rest of the Royal family, that respect did not extend to the duke of Cumberland. [Hear, hear!] His royal highness was, perhaps, the only member of the Royal family that could come to the House and make a request of this nature, which he could stand forward and refuse. He wished to speak of that family generally and collectively in those terms of respect which their high rank called for; but, he would put it to the noble lord, whether the concurrent testimony of every individual in the country did not bear him out in asserting, that, of all the branches of the Royal family, the duke of Cumberland was the one to whom the public feeling would be the least inclined to grant any pecuniary boon? [Hear, hear!] He was quite sure he spoke the truth, when he made this observation. No person could go into society of any kind, without hearing this opinion supported; and he conceived he should not be doing his duty, if he did not state the fact to the House. He should like to ask of the noble lord, whether a marriage between the princess of Salms and another member of the Royal family had not been projected—which intended marriage, in consequence of certain circumstances, had been broken off? He should also wish to inquire, whether the queen of this country had not expressed herself strongly on the subject of the marriage that had recently taken place, observing, that it was not fitting or becoming that a marriage should be entered into by the princess of Salms with the duke of Cumberland, when the proposed union between her and the duke of Cambridge had been broken off? [Hear, hear!] For himself he had no hesitation in saying, that the union was an improper one, however much the parties might be suited to each other from their habits and morals. Such were his opinions upon the subject, and being such, he felt it his duty to avow them. [Hear, hear!]

Sir *C. M. Burrell* wished to be informed, whether there was any truth in a statement he had heard, that, at the time of the evacuation of Hanover, the duke of Cumberland, without the authority of the Prince Regent, put himself at the head of the government, which situation he held, until measures were taken to displace him, another illustrious Duke having been sent out for that purpose? This business he wished to have explained. With respect to the time at which the marriage was celebrated, and of which the House were quite ignorant, he hoped the noble lord would give them the necessary information. He should now shortly notice the income of the duke of Cumberland. By the vote of 1806, he was placed in possession of 18,000*l.* a year, subject to no deduction, but the income-tax—he had a house within the palace, which, when the allied Sovereigns visited this country, was furnished at the public expense—and a regiment of cavalry, worth 1,600*l.* per annum. The total of these items would amount to 21 or 22,000*l.* a year, and, from what he saw in public life, where gentlemen, not possessed of half this income, lived in a very elegant style, he conceived it to be quite sufficient for the illustrious duke. If his illustrious consort brought him any considerable fortune, some settlement would, of course, be expected in return. The duke of York, he understood, received a portion of 100,000*l.* with his consort, and a settlement, adequate to that sum, was granted. The House, before they proceeded, should be made acquainted with the fortune which the duke of Cumberland received with the princess of Salms. On the present occasion, he did not conceive it proper, situated as the country was, to add any thing to the income of the illustrious duke; and certainly he should vote against the proposition, unless such information was granted, as would fully satisfy his mind that the increase was absolutely necessary.

Lord *Castlereagh* could not but regret, very deeply, the turn which the debate had taken. A discussion more painful to individuals, or more injurious to the best interests of the country, could not be conceived, than where a question of provision for the use of the Royal family was examined through the medium of private feeling. He deprecated the system of calling on ministers to give answers on the subject of anecdotes which they had never heard. Nothing could be more unfair, or more injurious, in a country where political feelings were carried so far, than to perplex ministers by questions of such a nature. With respect to the first question of the hon. baronet he could only answer, that he never heard of the duke of Cumberland's having exercised any power, in any part of the world, derogatory to the duty which he owed to his Sovereign. Whatever he did in Hanover, was the result of a just and virtuous feeling; and he could not help observing, that the introduction, on this occasion, of such a subject, was a pregnant proof that the way in which gentlemen thought fit to discuss this question was not a just one. With respect to the late period of the session at which this measure was brought forward, he could assure the hon. gentleman that it was not a matter of design, nor indeed, when he looked round upon the House, did he think there was any reason to regret the want of a full attendance, many questions of deep importance to the country being often disposed of in the presence of much fewer members. No undue delay had been suffered to take place with a view to select the termination of the session for bringing the matter under the consideration of Parliament; for it was not possible, in fact, to bring it forward earlier, as the marriage of the duke of Cumberland had only very recently taken place. ['When, when?' from several members.] He had no hesitation in saying, that it had been solemnized within the last three weeks or a month, and the duke of Cumberland had not been many days in this country before the Message was brought down to the House. It never had been the custom, and he hoped it never would, to submit such a question to Parliament before the marriage was solemnized, from obvious reasons of delicacy and propriety. He hoped he had satisfactorily explained to the Committee that there was no desire on the part of ministers, no pre-concerted design to delay the communication. With respect to what had fallen from an hon. gentleman, he must complain of the cruelty of discussing this question in such a way as to bring the duke of Cumberland into contrast with the duke of Wellington, a person whose services were of a description to which no reward could be adequate. Besides, whatever Parliament had done, or might do, for the duke of Cumberland, it was only for his life, and no provision was made for any descendants which he might have. As to the military emoluments of his Royal Highness, he apprehended if the hon. gentleman possessed the regiment which the duke of Cumberland possessed, in exactly the same way, he would find that so far from its being an augmentation of his income, it would operate rather as an encroachment upon it. In point of fact, the duke of Cumberland had no military income whatever. With respect to the argument that had been grounded upon the presumption of his Royal Highness not living in England, he did not know why it should be taken for granted that he was not to reside in this country; but at all events he apprehended it never had been the practice of Parliament to frame a grant with such provisions as would affect the liberty of residence in the individual to whom the grant was made. With respect to the amount of the sum, it was not one which could be called profuse, but was merely one which the interest and dignity of the country demanded. It had been compared to that granted on the marriage of the duke of York. But the cases were very different: 18,000*l.* a year had been granted to the duke of York, a portion of which had been settled on the duchess, added to which there was an expectation arising out of the bishoprick of Osnaburgh. He had reason to suppose that the duchess of Cumberland was not possessed of any income; and he was persuaded that it would be very painful to the feelings of the House to leave her to the risk of that indigence in which she must consequently be involved should the duke's life terminate before her own. He trusted that the committee would be guided by the general principle of what it was becoming in Parliament to do on the marriage of a son of the King with the consent of the Crown, the more especially as the sum proposed was so moderate.

Mr. *Wynn* observed, that this question was extremely painful to every one, and that the blame of its being so rested not on those who opposed the motion, but on those who had proposed it. His objections to it were founded not only on the vote itself, but on the manner in which the subject had been brought forward. The noble lord asserted that the proceeding rested on the precedent of the marriage of the duke of York. He wished the noble lord had brought the subject before Parliament in the way in which the marriage of the duke of York had been brought before them. Were the cases in the slightest degree parallel? The duke of York certainly was married abroad, but the marriage was announced in the Gazette —it was not kept a secret—it was not a marriage of which the Royal family were ashamed—[Hear, hear!]. The marriage of the duke of York was mentioned in the speech from the throne on the opening of the session; his Majesty expressing his confidence that Parliament would make a provision suitable to the circumstances of the case. This was on the 1st of February 1792, and it was not until the 7th of March (six weeks afterwards) that a proposition was made by ministers in consequence. On the marriage of the duke of York Parliament had voted addresses of congratulation to his Majesty, to the Queen, and to their royal highnesses the Duke and Duchess. Would the noble lord now stand forward and move an Address of congratulation to the Queen on the marriage of the duke of Cumberland? [Hear,

hear!] Would he venture to offer such an insult to the House and to the country? [Hear, hear!] It was extremely painful to be compelled to use such language; but he repeated, that the blame rested on those with whom the question had originated. The noble lord had talked of precedents. What precedent was there of such a vote to a prince of the blood on his marriage, except the single instance of the duke of York? Had there been any such grant to the duke of Gloucester, or to the duke of Cumberland? And in what way did Mr. Pitt propose the vote respecting the duke of York? Mr. Pitt distinctly stated (he quoted from a report of Mr. Pitt's speech, which he had every reason to believe was correct), that "he did not think the present motion would establish a principle or precedent entitling any other branches of the Royal family to expect the same allowance. In his mind it was necessary that the House should take into consideration the degree of probability that the succession to the Crown might be involved in the transaction, as also that the marriage was one of which the House and the country must highly approve." Unless, therefore, the cases were parallel—unless the marriage of the duke of Cumberland was "such as the House and the country must approve," it was highly unfitting that the House should be required to add to the burthens of their constituents on the present occasion. It was painful to allude, not to the reports, but to the facts which were notorious to all Europe. He put it to the House, whether this was a marriage likely to be serviceable to the political interests of this country? Was it a marriage likely to be serviceable to the interests of the domestic virtues in this country? [Hear, hear!] The noble lord had said that the Duchess had no fortune. Had she no jointure resulting from either of her former marriages—neither from her marriage with Prince Louis of Prussia, nor from her marriage with the Prince of Salms? The Princess of Salms stood in a very different situation from the Princess of Prussia. The marriage of the duke of York with the latter drew more closely the ties of that alliance which was considered so useful to Great Britain. Besides the personal character of the Princess herself, the treaty by which the marriage had been concluded had been laid on the table of the House by his Majesty's command—a treaty containing an express stipulation that such a provision should be made on the marriage. With respect to the proposition now before them, it was notorious that had it been made at an earlier period of the session, it would not have stood any chance of success [Hear, hear!]. He had thought it his duty, however painful, to make the observations with which he had troubled the Committee.

Mr. *Bathurst* observed, that the marriage of the duke of York had taken place during the recess, which was the cause of its having been noticed to Parliament at the commencement of the next session. In other instances of the marriage of different branches of the Royal family, the information had been communicated to Parliament by a Message from the Crown, as in the present case. He contended, that Parliament ought not to hesitate to give to a prince of the blood, on his marriage, such an income as he must of necessity require, in order to provide for his new and more expensive establishment. He conceived the introduction of personal observations to be extremely improper in a case that ought to be decided on the general principle which he had already stated.

Lord *Castlereagh*, adverting to the observations of the hon. and learned gentleman opposite (Mr. Wynn) on the supposed secrecy of the duke of Cumberland's marriage, said, that it was on the contrary a proceeding attended with all possible publicity. The duke and duchess were married in the presence of his Majesty's ministers at Berlin, in the presence of the King of Prussia, and in the presence of several members of the reigning house of Mecklenburg. Nor did he conceive that more publicity would have been given to the marriage in this country by noticing it in the Gazette, than by making the communication which had been made to Parliament upon the subject. With respect to the possible future situation of the Duchess, should the committee not accede to the motion before them, he would just state it. The Court of Berlin had, it was true, been in the habit of granting an appanage to such members of the royal family of Prussia as had been married. But as the King of Prussia made a liberal provision for the children of the marriage between the Duchess and Prince Louis, he had not thought it proper to extend the appanage beyond the prince's life. If, therefore, this grant were not acceded to, the duchess might perhaps at some future period be left without any provision whatever.

The question was then loudly called for, and the committee divided:

For the motion 87
Against it 70
Majority .... —17

List of the Minority.

Acland, sir T.
Abercrombie, hon. J.
Burdett, sir F.
Byng, G.
Bankes, H.
Barham, J. F.
Barnard, lord
Bennet, hon. H. G.
Barnard, Scrope
Burrell, hon. D.
Burrell, sir C.
Burrell, W.
Butterworth, Jos.
Calcraft, J.
Calvert, C.
Calvert, W.
Campbell, D.
Courtenay, N.
Davenport, D.
Egerton, Wm.
Fazakerley, J. N.
Fergusson, sir R.
Frankland, W.
Fitzroy, lord J.
Gaskell, B.
Grenfell, P.
Gordon, R.
Gascoyne, I.
Hamilton, lord A.
Hanbury, Wm.
Horner, F.
Howorth, H.
Jolliffe, H.
Kemp, Tho.
Keene, W.
Lascelles, lord
Lemon, sir W.
Lewis, Thos. F.
Lloyd, sir E.
Latouche, R.
Mostyn, sir Thos.
Martin, H.
Martin, J.
Methuen, C.
Moore, P.
Mundy, E. M.
Neville, hon. R.
North, D.
Nugent, lord
Ossulston, lord
Parnell, sir H.
Peirse, H.
Proby, lord
Preston, R.
Protheroe, E.
Pym, F.
Romilly, sir S.
Rowley, sir W.
Sebright, sir J.
Shakespear, A.
Smith, W.
Smith, R.
Tremayne, J. H.
Tierney, right hon. G.
Warre, J. A.
Whitbread, S.
Western, C. C.
Wilbraham, B.
Wynn, C.
Wynn, sir W.

TELLER.
Sir M. W. Ridley

VOTE OF CREDIT.] The House having resolved itself into a committee, to take into consideration his royal highness the Prince Regent's Message, recommending a Vote of Credit,

The *Chancellor of the Exchequer* said, that he did not anticipate any objection to the proposition which he was about to make to the committee. In the present state of public affairs, no one could deny that great exertions, and consequently great expense, were indispensably necessary. It was certainly peculiarly desirable, at the present critical moment, to arm the Crown with the power to make efforts commensurate to the occasions that might arise. There was only one observation to which he conceived that the motion with which he should conclude was at all liable, namely, that the recent and extraordinary success of the British arms did not render it necessary to vote so large a sum. On this subject he felt differently from those who might make such a remark. That success had proceeded in a great measure from the liberality with which Parliament had afforded the means of exertion, and thus pointed out the sure way by which its continuance might be rendered certain. Until the object of the present contest should be obtained by the establishment of a secure and honourable peace, true economy dictated that Government should be put in possession of ample means of maintaining it. The committee would also recollect, that any sums thus placed in the hands of the Crown, must subsequently be accounted for by ministers, and that it would be their duty, at the commencement of the next session, to show how the whole, or a part of those sums had been applied, as well as the necessity that required their application. He concluded, by moving as a resolution, "That a sum, not exceeding six millions, be granted to his Majesty in Great Britain, and 200,000*l.* for Ireland, to enable his Majesty to take such measures as the exigency of affairs may require, and that such sum of six millions be raised by Exchequer-bills in Great Britain, to be charged on the first aids to be granted in the next session of parliament."

Mr. *Whitbread* said, he should not oppose the motion, conceiving, that under the present circumstances it was material that the Crown should be provided with powers capable of meeting any exigency that might arise during the recess. He hoped that before the re-assembling of Parliament the blessings of peace would be restored to the country. Whatever difference of opinion might exist with respect to the original justice of the war (and no change whatever had taken place in his opinions on that subject), there could be but one sentiment on the splendour of our recent success; which, however, he trusted would not induce his Majesty's Government to go in pursuit of objects utterly foreign to our true policy. It was impossible to foresee what events might speedily occur. If the noble duke, who with his glorious army had achieved a triumph so memorable, should reach the metropolis of France, he trusted that his protecting arm would avert the horrors which might otherwise be produced by that event. A vigorous effort had been made by his Majesty's Government to crush the resistance of the enemy. He congratulated them on their efforts having produced a result far exceeding the most sanguine expectations. He hoped that they would not now make a turn, and engage in the pursuit of objects, which, in his opinion, would be calculated to protract the existing warfare. There was one part of Europe in which he trusted no part of this vote of credit would be applied—he alluded to Spain. A great suspicion existed among those Spaniards who had escaped from the yoke which it was attempted to impose in that country on all that was liberal and enlightened, that ministers had assisted the government of Spain in their nefarious designs. He hoped and believed that this suspicion was unfounded, for he could conceive no appropriation of the public money so highly reprehensible.

Mr. *Wynn* declared, that he could not allow the present question to pass without expressing his entire approbation of the proposed grant. He trusted that his Majesty's ministers would not be misled by the recent success of our arms, glorious as it had been, to relax in their efforts to obtain that which should be their sole object—a secure and honourable peace. It was his strong conviction, that however desirable the establishment of a legitimate government in France might be, it was not so much to any particular form of government in that country that Great Britain ought to look, as to depriving France of the power of further disturbing the peace of Europe, by taking further securities than had hitherto been afforded.

Mr. *Bennet* hoped the noble lord would disavow, on the part of his Majesty's Government, the report, that money and arms had been furnished to the King of Spain, to enable him to carry on a war with the inhabitants of South America.

Lord *Castlereagh*, said he could assure the hon. gentleman that the conduct of Government had been strictly conformable to the principle which they had originally laid down for themselves of abstaining from any interference whatever. In the pursuit of that conduct, as they had incurred the reproaches of the Spanish government, so now it appeared that they were subjected to the jealousy of those against whom the operations of that government had been recently directed.

The motion was then agreed to, and the House having resumed, the Report was ordered to be received to-morrow.

HOUSE OF LORDS.

Thursday, June 29.

Earl *Grey* said, he had two petitions to present from certain innkeepers and victuallers of the town of Alnwick, in Northumberland; one praying relief from the additional tax on victuallers' licences, and the other for general relief from the weight of taxation.

The *Lord Chancellor* expressed a doubt whether a petition against a tax imposed in the present session could be received.

Earl *Grey* said, he should withdraw the petition in question till the existence or non-existence of a rule hostile to its reception could be ascertained.

The Earl of *Liverpool* expressed doubts as to the propriety of receiving the Petition.

Earl *Stanhope* said, there could be no doubt of the practice of the House. He had himself presented a petition (which was received) against all the taxes which pressed on the farmer, some of which had passed in the same session. If a petition could be received against all such taxes, a petition might surely be received against one of them.

The Marquis of *Lansdowne* observed, that the reason of the rule by which petitions were not received in the Commons against a tax bill which was pending, was, that the Commons, being representatives of the people, might be influenced by the petitions of their constituents. The same reason did not exist in that House. It was also another consideration after the Bill had passed into a law.

The Petition begging for a general redress of grievances was received, and the other was for the present withdrawn.

FREEHOLD ESTATES BILL.] Earl *Grey* rose to move the commitment of the Freehold Estates Bill. He stated the object of the Bill to be, to make freehold estates liable to the simple contract debts of their deceased possessor. It seemed to need no other arguments than considerations of common policy and common honesty, to induce the House to make an alteration in the existing law, for the purpose of carrying that object into effect. Cases had occurred of very great hardship from the want of a provision of this kind;

—a person who had incurred simple contract debts to a large amount, and who had actually purchased land with the money, had destroyed himself; and his lands, to the amount of 9000*l.* a year, had descended to his heirs, while his creditors received only 2*s.* 6*d.* in the pound. This case was known to many of their lordships. Trustees, it was also known, who violated their trusts, incurred only a simple contract debt, and the freehold estates of such persons, if they happened to die, would not be liable to its discharge. The present Bill was not an innovation in principle—it merely would put the freehold estates of persons dying, in the same condition, as to simple contract debts, as with reference to specialty debts; in the same condition as the estates of those subject to the bankrupt laws; in fine, in the same condition as the estates of every honest man, who always, by a special provision in his will, put his creditors in that situation in which it was the object of the present Bill to place all creditors. He should not anticipate objections, but should move that the Bill be committed.

Lord *Redesdale* opposed the Bill, on the ground, that by its operation all the estates in the country would be brought into the Court of Chancery, and subjected to endless litigation—even where the personal estate was ultimately sufficient to meet all the claims of the creditors. Small freeholds would be thus annihilated, and a material feature in the policy of the country, which consisted in the maintenance of this species of property, and which made the possession of a freehold a qualification for so many offices, must be changed.

The *Lord Chancellor* argued, that in the first place no necessity was shown for the present measure, because every man who gave credit to a person of landed property, knew that in case of the decease of that person, he had no claim on that estate. Every man might have any security for his debts which he chose to take. In the next place, as to the expediency of the measure: it had been the policy of the Legislature, from the very infancy of statute law, to hold real property more sacred than personal, and they had always taken care that no interest in it should be transferred without proper consideration and solemnity. The statute merchant and statute staple only applied to persons who consented to carry on their dealings in a manner which rendered their estates liable to be taken in execution; but even by them the rents only were taken, and when the debt was liquidated, the estate reverted to the owner. By the statute of Elizabeth, one half only of an estate was liable to be taken, and that only in virtue of a judgment entered; and this so far depended on the judgment, and not on the debt, that if the possessor of an estate sold it the moment before a judgment was entered, there was no remedy against him. The whole of the law was in the same policy; and it formed too material a feature of the whole constitution to overturn it without necessity, which he had shown did not exist; for every one could make a law for his own case, by the precaution of making his debt a specialty. The Bill, too, would be productive of evil, by inducing persons to give credit to those who walked over thousands of acres, which on their death would not, even under the present Bill, be assets for their debts. The Bill also would not affect copyholds, which at present were not liable even to specialty debts. It did not affect estates in tail. These were both inconsistencies. Why did not the Bill enact, that persons possessed of estates in tail, should suffer a recovery for the benefit of their creditors? He said this to prove to what extent of innovation the present Bill would lead. He should therefore oppose the motion.

Lord *Ellenborough* said, the present notions of innovation would lead to the universal establishment of gavelkind, and the destruction of the present system of tenures. He suppported and enforced the leading arguments of the noble and learned lord on the woolsack; and in conclusion observed, that the adoption of such a measure would be like the putting on, for the sake of a little inconvenience, a huge blistering plaster, which would corrode and gangrene the whole system.

Earl *Stanhope* said, there were two parts in the Bill, the object, and the means by which that object was to be carried into execution. The object he did not disapprove of, but the means by which it was to be brought about were unconstitutional and mischievous. The whole execution of the Bill was to be given to the Court of Chancery, a court where all witnesses were examined in private, and never cross-examined, and where one suit lasted as long as a hundred suits at common law. Too much of the business of the country was already thrown into that Court. Every blunderer in the House of Commons, who knew not what else to do, sent them to the Court of Chancery. He should on this ground oppose the Bill, on account of the means by which it was proposed to execute it, which cast an imputation on the trial by jury.

Earl *Grey* replied. It appeared to him that the apprehensions of the noble lords of the vast increase of Chancery business from the present Bill, were unfounded. He should appeal to facts. Was it true that all estates which were burthened with specialty debts, that every real estate which the proprietor by will had made liable to his simple contract debts, were thrown into that court? The only principle which the noble lords, with all their learning, had established, was one which, from what he had heard and read, he was more and more inclined to concur in; that the laws were in such a state as to be a grievance almost intolerable to the people of this country. Indeed, what could be a worse state of the laws than one which so teemed with vices, that all the great lawyers in that House professed themselves unable to devise means whereby a just creditor could obtain payment of a debt out of a freehold estate without such expense, that the estate itself would be wasted to nothing, and vexation to the parties not to be endured? If this were the real state of the law, it loudly called for revision. As for his noble friend who spoke last, if he objected to the mode only of executing the purpose of the Bill, the committee was the place to amend the provisions he complained of.

The motion was negatived without a division, and the Bill was ordered to be committed that day six months.

HOUSE OF COMMONS.

Thursday, June 29.

Petition respecting the Marshal of the King's Bench.] Mr. Douglas presented a Petition from several prisoners in the King's-bench, adverting to the Report of the Committee upon the alleged abuses of that prison, and praying for an opportunity of testifying to the humane conduct of the Marshal, upon whose character the said Report appeared to the petitioners to cast some reflections. Upon the motion for laying the Petition upon the table,

Mr. *Bennet* said, that the Report of the Committee of the House, appointed to inquire into the state of the King's-bench, Fleet, and Marshalsea prisons, had cast no other reflection on Mr. Jones, than what was warranted by the evidence that had been adduced before them. That evidence proved, that he was little acquainted with what occurred in his prison; and he avowed himself, that he seldom or ever entered within its walls. The numerous contradictions given to his evidence by others, who were in the constant habit of seeing and hearing what was really going on, would have left no doubt of that being the case, even if he had not acknowledged it. The committee had therefore stated, that a keeper of a prison, receiving from it a net annual income of *3,590l.*, and not daily inspecting and visiting the prison, and not being personally acquainted with all that was transacted therein, seemed to them to prove the existence of a state of things that ought not to be suffered to continue.

Mr. *Calcraft* said, he had heard that Mr. Jones was not pleased with the Report of the Committee; but he must say, that it appeared from the evidence of Mr. Jones himself, that he was not sufficiently acquainted with what was passing within the prison. The sole direction and management of the prisoners was entrusted to Mr. Brooschooft, the private clerk of Mr. Jones; and the committee had thought it their duty to mark their sense of the impropriety of his conduct.

The Petition was then ordered to lie on the table.

Slave Trade.] Mr. *A. Browne*, seeing an hon. member in his place who had obtained leave to bring in a Bill to prevent the smuggling of Slaves into our West-India colonies, wished to inquire when that Bill would be laid before the House. If it were only to be read a first time this session, it ought to be brought in without delay, that having been printed, it might during the recess be sent to the colonies.

Mr. *Wilberforce* was a sufficiently old member of that House to know that the Bill ought to be brought in before the end of the present session, in order that copies of it might be sent abroad before Parliament assembled again. Since, however, it had only been proposed that it should be read a first time and printed in the present session, as it was a bill of great detail, he had kept it back to read it carefully over, that it might be as correct as possible when it came before the House. He had considered that so it were brought in before the session was at an end, a week could not be of importance. He should have been ready with it sooner, had he thought a few days at all material in the present instance.

Mr. *A. Browne* expressed himself content with the statement of the hon. gentleman. He was only anxious that the Bill should be brought in, in due time to have it printed before the close of the session.

Prince Regent's Message respecting the Duke of Cumberland's Marriage.] The Report of the Committee upon the Prince Regent's Message with regard to an additional grant to the duke of Cumberland in consequence of his marriage with the princess of Salms was brought up, and upon the motion that the Resolution in favour of the grant be read a second time,

Mr. *R. Gordon* rose, and declared that he could not reconcile it to his sense of duty to allow this motion to pass with a silent vote against it. He was astonished at the observation of the noble lord (Castlereagh) who brought forward this motion last night, that he did not apprehend any opposition, while he agreed with the noble lord that it must be painful to hear any reflections upon the character of the individual referred to, or any comments whatever, at all likely to depreciate the consequence of the illustrious family to whom that individual belonged. But ministers alone were to blame in dragging the duke of Cumberland before that House. If any reflections were thrown out against that individual, it was the fault of ministers in forcing him upon the consideration of that House. After what had notoriously passed with respect to this individual, and his connexion—after the rumours that were afloat upon the subject—he could not by any means concur with the noble lord, that this was not to be regarded as a personal question, and that that House, when called upon to accede to a vote of this nature, had not a right to consider the merits of the individual. On the contrary, he thought it the duty of the House to enter into that consideration, and to inquire whether the duke of Cumberland had, either in his military or senatorial capacity, rendered any services to the country that could entitle him to this additional grant. For it did not follow that any branch of the Royal family should on his marriage obtain an augmentation of that allowance which Parliament had already voted to each; and as to the addition voted to the duke of York upon his marriage, he thought the arguments offered in answer to those who adduced that vote as a precedent upon the present occasion, were quite unanswerable. Upon these grounds the hon. member said he should move, by way of amendment, That the Resolution be read a second time this day three months.—[A cry of "Question, question!" on the Ministerial side.]

Mr. Alderman *C. Smith* said, that had he been present last night, he would have voted for the proposed grant. It was indisputable, in his opinion, that a private individual could not subsist upon less than 300*l.* a year, and that an addition of 100*l.* a year would be necessary to such an individual upon his marriage. Now, the proposed addition to the revenue of the duke of Cumberland upon his royal highness's marriage, being necessary and moderate in an equal proportion, the hon. alderman expressed his resolution to support the original motion.—[The cry of "Question" from the Ministerial side was repeated.]

Mr. *W. Smith* expressed a disinclination to trespass upon the time of the House, but observed that he could not refrain from decidedly discountenancing this extraordinary proposition. He apprehended that the marriage of the duke of Cumberland was disagreeable to the Royal family, and he understood that it was the intention of this prince not to reside in this country; and if such were his intention, that circumstance certainly furnished an additional argument against the propriety of the proposed grant; nay, he understood, that if that person should bring his new connexion to this country, she would not be received at Court; that such was the resolution of an illustrious personage; and he wished to ask, whether such was not the fact? If this report were unfounded, he should be glad to have it contradicted; for if it were true, he could see no reason for the proposed additional grant. He was therefore anxious to get at the fact upon this point. A great deal had been said upon this occasion as to the propriety of supporting the splendour of the Royal family; but upon this subject he would repeat what he had before often uttered, namely, that the character and consequence of that family in this country depended more upon their conduct than upon any splendour they exhibited—[Hear, hear!]—Therefore if he were called upon to appreciate the merits of this family, he should be disposed to think highest of him who had set aside 12,000*l.* a year of his revenue for the purpose of discharging debts unfortunately contracted in his youth—[The duke of Kent.] Thus this truly respectable prince consented to subsist upon 6,000*l.* a year in order to discharge his engagements, and he had no hesitation in saying that such an evidence of integrity was calculated to render this prince infinitely more respectable in England than any degree of splendour his Royal Highness could contrive to maintain.—[Hear, hear!]—But the members of the Royal family had, in fact, no occasion to support any pomp or parade, or to enter into a competition with private individuals with a view to sustain their importance, however becoming it might be for the Sovereign, as the representative of the country at large, to maintain a certain degree of splendour, or however proper it might be to make certain pecuniary allowances to the duke of Wellington and others, raised to the Peerage for their merit, in order to enable them to support the dignity of their station. The members of the Royal family, however, were not to be regarded in the same view—to each of them an allowance was already made by Parliament, and he saw no reason to justify any further addition, especially to the person whose case was under consideration.—[Hear, hear!]—The Marriage Act had, he was aware, subjected the members of the Royal family to certain inconveniencies by obliging them to marry foreigners. The law of the country had, however, imposed this obligation from political motives, and therefore Parliament was bound to consider the case of those individuals; but the marriage which gave rise to the motion before the House was not, in his judgment, entitled to any peculiar consideration—[A cry of "Question, question!" on the Ministerial side.]

Mr. *Protheroe* said, that he could not consistently give a silent vote upon this proposition. He was fully aware of the extreme delicacy of the subject. No one was, he believed, more anxious than himself to observe that delicacy, or more ready to accede to any measure necessary to maintain the dignity, honour, and interest of the Crown; but as he did not think the proposed grant connected in any degree with the maintenance of that dignity, honour, or interest, he felt it his duty to oppose it. The noble mover had expressed surprise that any opposition should be made to this extraordinary vote; but if the noble lord knew any thing of the feelings and sentiments of the people, he could not be surprised to hear some expression of those feelings and sentiments from their representatives in that House. The popularity of the ministers was no doubt deservedly high; but in his opinion they over-rated that popularity, if they supposed that it could serve to reconcile the people to a vote of this nature, and came to a very erroneous conclusion if they supposed, that because millions were cheerfully voted to maintain the public safety and general interest, this exceptionable motion would be acceded to. He would not enter into any invidious comparison between the merits of the proposed grant and that made to the duke of Wellington; but when it was recollected, that upon the proposition of his hon. friend, the member for Liverpool (general Gascoyne), to advance the half-pay of our military officers, the Chancellor of the Exchequer stated that the finances of the country could not afford it, and when it was recollected also that no additional reward was voted for the meritorious services of the Commander-in-chief, he could not suppress the declaration of his astonishment at the motion before the House. That motion was indeed such, that were it brought forward at a period when there was a fuller attendance of members, he had no doubt it would have been decidedly rejected. He was astonished, indeed, after what had passed on the former discussion, that the duke of Cumberland could reconcile it to his feelings to accept of the grant—[Hear, hear!] The majority in favour of the measure had been so small, that it must be evident to his Royal Highness, and to the world, that the sense of the House was against him—[Hear, hear! and loud cries of "Question!" from the Ministerial side.]

Mr. *Forbes* expressed his readiness to support the views of the last speaker, if he thought proper to propose (and he hoped the hon. member would) some reward for the meritorious services of the Commander-in-chief. [Hear, hear! on the Ministerial side.] But such a proposition could not disincline him to vote for the present motion. As to the merits of the illustrious person under consideration, he had lived long enough in the world to withhold his belief of more than one-half of what he heard—nay, he doubted even what he saw. [A laugh.] Therefore he doubted what he had heard with regard to the duke of Cumberland. It was notoriously but too easy to propagate scandal, and when by any means a person happened to get a bad name, credence was just as promptly given to any story to his or her prejudice as it was refused with respect to any one who happened to get a good name. His vote, he declared, he should give entirely on public grounds. In the first place, the duke of Cumberland was the son of the King, and that he thought would not be questioned. [A laugh.] In the second place, he would ask, whether his Royal Highness had not contracted the marriage alluded to with the consent of the Crown? It was doubted, he was aware, whether this consent had been granted before or after the marriage, but the Prince Regent's Message seemed to settle that point; and his next question would be, whether the provision allowed to his Royal Highness, as a bachelor, could be deemed sufficient to maintain his splendour as a married man? But if that provision were so deemed, he must say that too much had been granted to his Royal Highness as a bachelor. The hon. member concluded with stating, that he differed totally from those who sought to bring disgrace upon the object of this proposition, and to reflect upon the Royal family, whose character ought to be sustained for the general good of the country.

Mr. *Tierney* repeated the question put by his hon. friend (Mr. W. Smith), and to which no answer had been returned, namely, whether Her Majesty was not decidedly hostile to the marriage which gave rise to this discussion, and whether, if the duchess of Cumberland should come to this country, she would not be received at Court—whether this fact did not come within the noble lord's own knowledge?

Lord *Castlereagh* said, that he should abstain from answering any questions calculated to vilify the Royal family, and that he did not think the right hon. gentleman had any right to put such questions.

Mr. *Tierney* felt himself perfectly justified in putting the questions, to which the noble lord objected—it was his right to put such questions, and the duty of the noble lord to answer them for the satisfaction of the House. [Some cry of "Spoke, Spoke!" on the Ministerial side.] But Mr. Tierney proceeded, and repeated his questions, whether Her Majesty had not declared that she would not receive the duke of Cumberland's consort at Court, and whether the noble lord was not fully aware of this declaration? Nay, whether Her Majesty had not decidedly disapproved, for some reason or other, of a proposed marriage between the princess of Salms, and the duke of Cambridge? and whether Her Majesty had not thought that a marriage having been broken off with one brother, the lady alluded to was not fit to be the wife of another? The noble lord professed great anxiety to preserve the reputation of the Royal family, but it behoved that House to take care that it did not fall into that disrepute to which it was but too liable if it acceded to a proposition of this nature. In fact, if the House of Commons were not willing to degrade itself by becoming the mere banker of the Court, it would not agree to a grant of the public money in consequence of this marriage, with regard to which the minister dare not call upon it for a vote of approbation. [Hear, hear!] As to the complaint that this discussion had a tendency to reflect upon the character of the Royal family, he denied the justice of the statement. But if the discussion had really such a tendency, those only were to blame who advised this proposition to be brought forward; for upon such a proposition the House was bound to do its duty, and to investigate the merits of the individual to whom the proposition referred. Upon this point, however, the hon. member who spoke last had stated his disinclination to believe more than one-half what he heard; but surely quite enough would be found to justify the rejection of this motion if only half of what was said of either the lady or gentleman referred to were to be believed. [Hear, hear!] But he dared to say that the noble lord, with a majority of 16 or 17 behind him, would be found to discard those considerations, and so no doubt would the object of this vote also, although, as an hon. member had observed, he could not, after what had taken place, accept such a grant consistently with any idea of dignity; for no consideration of dignity was likely to have much influence in that quarter. With respect to the Marriage Act, he concurred, in some measure, with the observations of his hon. friend

(Mr. Smith). What, however, was the object of that Act, but to prevent any member of the Royal family from contracting improper connexions?—and thus came the question, whether the marriage under discussion could be regarded as a proper connexion suitable to the views of the Marriage Act, or whether the object of that Act was not defeated by such a marriage,—whether, in consequence of rumours, insinuations, or something more serious, Her Majesty had determined to refuse her consent to the marriage of this lady with the duke of Cambridge? Those were questions which that House was bound to consider, and which had such an influence upon his mind, that he was resolved to take the sense of the House upon every stage of this measure, in the hope that the House of Commons would be found to do its duty by rejecting the proposition.

Lord *Nugent* said, that before the House divided he could not but remind gentlemen of the circumstances under which they were coming to the vote. A question had been put to ministers by his hon. friend (Mr. W. Smith), and repeated by his right hon. friend (Mr. Tierney), to which ministers had not dared to give a reply. No one of His Majesty's ministers had been found to venture to give the House even a hope that one of the illustrious persons, immediately the object of this grant, would, in the case of her coming to reside in England, be admitted to the Court of this country. [Hear!] For his own part, he disapproved of the grant proposed, with reference to the time in which, to the manner in which, and to the person for whom, the grant was proposed. He differed with his hon. friend who stated that he did not admit public rumour to influence his vote. For his own part he voted mainly on evidence which could come before the House only by public rumour—public rumour uncontradicted and unencountered. [Hear, hear!] His right hon. friend had pledged himself to take the sense of the House in every stage of this grant. In the conscientious discharge of his duty, he could not but say, that in every stage of the grant his vote should second that of his right hon. friend.

Mr. *Bennet* rose to inquire of the hon. gentleman opposite (Mr. Forbes), whether he meant to apply personally to him the remark, that he (Mr. Bennet) had brought disgrace upon himself by those comments which he had felt it his duty to make, on a preceding evening, respecting the character of the duke of Cumberland?

Mr. *Forbes* said, he was not aware he had said any thing personally disrespectful to the hon. member; but if he had, he certainly did not intend to do so. At the same time he would leave it to the judgment of the House, whether the expressions which the hon. gentleman had used were either proper or parliamentary.

The House then divided, when the numbers were,

For the Amendment 62
For the original Motion......... 74
Majority in favour of the grant —12

On the question, that a Bill should be brought in founded on the Resolution of the Committee, another division took place.

For the Motion 75
Against it 62
Majority in favour of the grant —13

List of the Majority.

Addington, rt. hon. H.
Bloomfield, B.
Beresford, lord G.
Brydges, sir E.
Brogden, J.
Blake, Valentine
Bradshaw, hon. C.
Bathurst, hon. W.
Bathurst, rt. hon. B.
Buller, sir E.
Binning, lord
Courtenay, T. P.
Congreve, sir W.
Clements, Henry
Chichester, Arthur
Croker, J. W.
Carew, R. Pole
Castlereagh, visc.
Daly, J.
Desborough, E.
Doveton, Gabriel
Dawkins, James
Douglas, hon. F. S.
Forbes, Charles
Fergusson, James
Fitzgerald, right hon. W. V.
Graham, sir J.
Goulburn, H.
Grant, Charles
Garrow, sir W.
Hammersley, H.
Hart, G. V.
Holford, G. P.
Hill, sir G.
Long, right hon. C.
Lowther, viscount
Lowther, hon. H.
Lygon, hon. W.
Mahon, hon. S.
Mellish, W.
Murray, sir J.
Moorsom, R.
Manners, lord C.
Pringle, sir W.
Phipps, general
Palmer, of Luggershall
Palmerston, visc.
Pakenham, hon. R. H.
Peel, right hon. R.
Pole, rt. hon. W. W.
Rose, right hon. G.
Smith, C.
Stirling, sir W.
Shiffner, G.
St. Paul, H.
Shaw, sir J.
Sheldon, R.
Sutton, rt. hon. C. M.
Stuart, hon. A.
Seymour, lord R.
Thornton, general
Thornton, Samuel
Thynne, lord J.
Teed, John
Vansittart, rt. hon. N.
Wemyss, general
Warrender, sir G.
Webster, sir G.
Wood, sir M.
Wood, T.
Wellesley, R.
Yorke, sir J.

TELLERS.

Arbuthnot, rt. hon. C.
Lushington, S.

List of the Minority.

Abercrombie, hon. J.
Bankes, H.
Barham, J.
Bennet, hon. H. G.
Barnard, Scrope
Burrell, sir C.
Burrell, hon. P. R.
Burrell, W.
Butterworth, Jos.
Barclay, C.
Babington, T.
Brand, hon. T.
Calcraft, J.
Calvert, C.
Calvert, N.
Campbell, lord J.
Campbell, D.
Cavendish, lord G.
Cavendish, H.
Davenport, D.
Dundas, hon. L.
Duncannon, visc.
Fawcett, H.
Fazakerley, J. N.
Findlay, K.
Grenfell, P.
Gascoyne, G. I.
Gooch, T. S.
Hamilton, lord A.
Horner, F.
Howorth, H.
Hughes, W. L.
Lemon, sir W.
Lewis, F.
Martin, H.
Martin, J.
Moore, P.
Mackintosh, sir J.
Neville, hon. R.
North, D.
Nugent, lord
Ossulston, lord
Parnell, sir H.
Proby, lord
Protheroe, E.
Pym, F.
Robinson, A.
Ramsden, J. C.
Rashleigh, W.
Shakespear, A.
Smith, R.
Swann, H.
Shaw, B.
Tremayne, J. H.
Tierney, right hon. G.
Tighe, W.
Western, C. C.
Wilbraham, B.
Wynn, C.
Wynn, sir W.
Williams, sir R.
Wilberforce, W.

TELLERS.
Gordon, R.
Smith, W.

ADDRESS FOR A NATIONAL MONUMENT, AND MONUMENTS TO OFFICERS WHO FELL IN THE BATTLE OF WATERLOO.] Lord *Castlereagh* observed, that he had, on a former occasion, given notice that he should on this day submit a resolution to the House for the purpose of bestowing those marks of national gratitude on the heroes who fell in the late battle, to which their pre-eminent services so justly entitled them; and he did hope, that by delaying to bring forward the motion till now, he should have been able to receive from the distinguished officer who commanded on that memorable day the names of all those who had most signalized themselves. Such, however, had been the course of active operations carried on by the duke of Wellington since that period, that no return, down to the 25th of this month, which was the latest intelligence Government had received from him, had been made out: but they knew enough of all the circumstances of that great contest to enable them to proceed; and he thought no time should be lost in paying that respect and gratitude which they owed to the memory of those who had fallen—[Hear, hear!]. When he last had the honour of addressing the House upon that subject, they were in possession of no other account but the modest statement of the illustrious victor, and it was not until the details of the enemy were published that the full extent of that battle, its character of glory for this country, and its disastrous consequences to France, were known—[Hear, hear!]. Great actions had generally produced great results, but he believed it would be impossible to find one in the annals of modern warfare which had been crowned with greater military trophies, or which had been attended with a greater moral success. It had made that nation to whom, for the last five-and-twenty years, all the calamities with which Europe had been afflicted were owing, feel the whole extent of that misery and misfortune which its own criminal ambition had so often inflicted on other countries; and he trusted it had also produced that deep impression upon the heart of every Frenchman, as it was evident it had upon the apprehensions of what was called the Government of France, that they would feel no time was to be lost in repairing, as far as was in their power, the multiplied injuries they had inflicted on mankind—[Hear, hear!]. With respect to the question more immediately before them, he was sure the House and the country would deeply lament if some appropriate mode were not devised to distinguish those who had fallen, some mark of national gratitude and exultation to commemorate an action, which, whether it was regarded in its moral, in its political, or in its military character, was the greatest action which the British arms had ever performed—[Hear, hear!]. The House therefore would doubtless be disposed on the present occasion to travel a little out of the usual manner of distinguishing military achievements, as our brave army had certainly travelled out of the ordinary exploits of war; they would feel that it would be useful to the country even, that we should have the proud satisfaction of contemplating a National Monument erected to the memory of the officers and soldiers [loud cries of Hear, hear!] who so gloriously fell on that great occasion. He should certainly regret if, in paying that general tribute of a nation's gratitude, the merits of those officers whose services were entitled to pre-eminent recollection, were not placed in as distinguished a point of view as on ordinary occasions; at the same time, he was sure if they could now be recalled to their country, nothing would be so gratifying to their feelings as to see some plan adopted which should include the commemoration of their brave soldiers, that they might also live in the gratitude of posterity, and of an admiring world. It was, indeed, no less consistent with the duty of that House than it was congenial to their feelings, to address the Crown in order that a monument of national gratitude might be reared to the memory of all those officers and gallant troops who laid down their lives that day, not only for their country, but for the security and happiness of Europe—[Hear, hear!]. He would not trouble the House at any greater length, as he felt that any thing which he could say must be inadequate to the subject, but should proceed to read his motion, viz.

"That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions that a National Monument be erected in honour of the splendid victory of Waterloo, and to commemorate the fame of the Officers and Men of the British Army, who fell gloriously upon the 16th and 18th of the present month, and more particularly of Lieutenant-general sir Thomas Picton and Major-general the honourable sir William Ponsonby; and to assure his Royal Highness that this House will make good the expense attending the same."

The noble lord then entered into a cursory view of the eminent services performed by both the officers above named. Sir Thomas Picton, he observed, had distinguished himself in Egypt under sir Ralph Abercromby, and in all the great battles which had been fought in the Peninsula and France, by the duke of Wellington; at Badajoz, Ciudad Rodrigo, Vittoria, in the Pyrenees, Orthes, and Thoulouse—[Hear, hear!]. With respect to the other lamented officer, sir William Ponsonby, his career, though short, had been one of eminent renown and glory. At the battle of Salamanca he served under the command of general Le Marchand, who unfortunately fell early in the action; but whatever loss his country sustained, none was felt by the army at that critical moment, for sir William, then colonel Ponsonby, immediately took the command, and led the cavalry against the centre of the enemy, which he penetrated with a degree of gallantry and vigour that produced the most important effects. His successful efforts on the day in which his gallant life was laid down, could not be too highly applauded; the charge he made was so decided, so energetic, and so characteristic of his usual ardour and intrepidity, that his corpse was found considerably in the rear of the positions occupied by the enemy—[Hear, hear!]

The motion being read from the chair,

Mr. *Wynn* expressed his entire and most cordial concurrence in the motion before the House, and was proceeding to observe, that he hoped the intended monument would not be erected in any particular church, when

Lord *Castlereagh* observed, that the intention was to erect a pillar, or triumphal arch, some architectural monument, in fact, suitable to the magnificence of the nation, and which, of course, would not be confined within the walls of a church.

Mr. *Wynn* said, he was glad to hear the explanation of the noble lord. He also wished that the name of every man who fell in that battle should be commemorated. He was aware, that from the great number of names there might be some difficulty in doing that, but still he thought it was practicable, and it would thus become a proud record for any one to refer to who should inherit the name of those gallant warriors; a record which he hoped would never perish. He was anxious, likewise, that distinct monuments should be erected to those two general officers who were mentioned in the motion, especially when it was recollected what their services were, and in how many hard-fought battles they had participated. He had heard that nearly the last words which the gallant Picton uttered before he left this country, was to express a hope, in the presence of two members of that House, that if he should fall, which he seemed to anticipate, he might not be forgotten, but receive the same distinction as had been conferred upon other officers—[Hear, hear!] And perhaps it would be impossible to produce a stronger proof of the wisdom and utility of those honours conferred by that House, and the great effect which the contemplation of them produced on the minds of British officers. There was another thing which he wished to suggest, namely, that medals should be struck in commemoration of the battle, and distributed to the survivors. After the battle of the Nile, a patriotic individual caused a number of such medals to be struck and so distributed; and he had heard from many officers that the effect produced by them was of the most gratifying kind. Many of those gallant men who had shared in that battle, when dying in a foreign land, had expressed in their last moments the most anxious solicitude about the disposition of those medals, the record of their services on that glorious day: some wished that it should be buried with them, others that it should be carefully transmitted to their families; but all of them placed more value upon that small medal than on any other property which they happened to possess. He thought, therefore, that it would tend to nourish a noble spirit of emulation and heroic pride, if similar tokens in commemoration of the battle of Waterloo were struck and distributed.

Lord *Castlereagh* said, that the suggestion of the hon. member, as to the erection of distinct monuments to the memory of sir Thomas Picton and sir W. Ponsonby, was one that the House might readily accede to, as they had only one object in view, that of distinguishing the eminent services of those lamented officers. He would therefore subjoin, as an amendment to the motion, "and that funeral monuments be also erected in memory of each of those two officers in the Cathedral Church of St. Paul, London."

Mr. *Wynn.* And that the names of those who fell be inscribed on the National Monument.

Lord *Castlereagh.* That had better be left for arrangement in the execution of the plan.

General *Gascoyne* suggested the propriety of interring the body of sir Thomas Picton, which had been brought over to this country, in the Cathedral where a monument was to be raised to his memory. On the day previous to the great victory of the 18th, he had been dangerously wounded. From the moment he had left this country, till he joined the army, he had never entered any bed; he had scarcely given himself time to take any refreshment, so eager was he in the performance of his duty. After the severe wound which he had received, he would have been justified in not engaging in the action of the 18th. His body, he understood, was not only blackened by it, but swelled to a considerable degree; and those who had seen him, wondered that he should have been able to take part in the duties of the field. He had fallen gloriously afterwards at the head of his column, maintaining a position, which, if it had not been kept, would have altered the fate of the day; and its issue might have been different from that which now occasioned such well-founded rejoicings. He repeated his wish that his body should be interred in the Cathedral where the monument was to be erected, and suggested that some of the distinctions conferred on him should be extended to his family.

Mr. *W. Smith* expressed his concurrence in the motion, and hoped the suggestion of his hon. friend (Mr. Wynn) would be adopted, for recording the names of all who had fallen. It would have the best possible effect, and might be done with little difficulty. They knew that some of the most famous actions of antiquity were so recorded, and the record had even come down to the present age. He must again repeat what he had pressed upon the House on a former night, that he hoped a palace would be erected for the duke of Wellington, and that Parliament would not be contented with merely purchasing for him a house which had been built for some other individual.

Mr. *Wilberforce* said, he agreed with the sentiments expressed by his hon. friend, and that if a ready-made mansion was provided for the duke of Wellington, it would not, in his opinion, mark that full tide of national gratitude which would be conveyed by the erection of a palace, specifically in honour of his great and meritorious services. They would act much more wisely in erecting a palace, even though it should cost somewhat more; they and their posterity, in fact, would be the gainers: for it should be recollected, that in building such a palace, it would be done, not to gratify the duke of Wellington merely, not to acquit themselves of the debt of gratitude they owed him, or to gratify their own feelings, but to show to all the world, that when a great man, selected by Providence, became the instrument and means of conferring signal blessings on mankind, such a man was to be honoured from first to last. With respect to the motion before the House, it had his entire support.

Mr. Alderman *Smith* observed, that there were several large buildings in the country in which national monuments might be erected, and among them was the church of St. Alban's.

Mr. *Bankes* had every wish to do justice to the memory of those brave men to whom the country was so deeply indebted for their glorious services in the late victory. From whence, he asked, could the ornamental part of the National Monument which was about to be erected, be better derived than from that centre of the enemy's country to which the march of their brave comrades was directed? To that capital which he trusted was, ere now, in the possession of the illustrious Wellington. Paris, twice in the possession of conquerors, ought not to be allowed to retain the plunder which the French had, for so many years, been gathering from the whole of civilized Europe. She ought to be compelled to refund a portion; and no occasion could be so fitting for the employment of it, as the commemoration of the fall of a tyranny oppressive to France itself, and the achievement of a victory glorious to Great Britain.

Mr. *Maurice Fitzgerald,* although perfectly disposed to afford every honour to the memory of our brave heroes, differed completely from the hon. gentleman who had just sat down as to the mode of accomplishing that object. He could not agree that a national monument to our own army should be ornamented by pillage from the capital of another country. If that pillage were to be surrendered, let it be given to those countries to which it originally belonged. Our intrinsic glory ought not to be diminished by following the example of France; but if that example were followed, let the monument be ornamented with the cannon which were captured in the battle. If he wanted any authority to condemn such a proposition as that made by the hon. gentleman, he thought he could derive it from the illustrious individual at the head of our troops. On the duke of Wellington's having been very recently reminded, that on the last occasion on which the English army entered France, they behaved with extreme delicacy towards that country; his answer was, "I promise you that if it is in my power they shall behave with equal delicacy now;" a magnanimous declaration, which did as much honour to the man as to the soldier. He strongly recommended, that as the merits of the three countries had been equal in the late battle, a national monument should be erected in Edinburgh, and another in Dublin, as well as that proposed to be erected in London.

Mr. *C. Grant,* although so many hon. gentlemen had addressed the House on this subject, yet, in obedience to his feelings, could not allow the question to be put without saying a few words in reference to a gallant and lamented friend, sir Alexander Gordon, who had gloriously fallen in the late memorable contest. He should not enter into any minute description of those qualities in private life which endeared that brave man to all who had had the happiness of his friendship. Even if his present feelings would permit him to do so, he would abstain from dwelling on that part of his character. The death of such an officer was a national loss. Although only 29 years of age, his career, short as it had been, had been one of the most active and arduous duty. During the last ten years, his services had been incessant; and he could confidently appeal to all who were acquainted with the British army, whether, among the promising young men with whom it abounded, there was one more eminent for his zeal, more distinguished for his reputation, or more fully possessed of the confidence of the illustrious chief under whom he served, than the gallant officer to whose memory he was, on this occasion, anxious to pay this tribute, unworthy as he felt it to be of his object—[Hear, hear!]. He would not expatiate on the consolations by which the grief of the country on the loss of so many of her brave sons ought to be moderated, but content himself with saying, that, valuable as were the lives which had been sacrificed, they had been sacrificed for the acquisition of a victory almost unparalleled in the annals of the world—a victory which promised more benefit to the cause of humanity and civilization than any military achievement of modern or ancient occurrence; closing, as it did, operations which had crowded into a few weeks, events that would have been considered most brilliant, had they been the results of many successive campaigns—[Hear, hear!]

Sir *C. Burrell* observed, that if, instead of purchasing a mansion, a palace worthy of the illustrious individual who was to inhabit it were to be erected, he would be kept 12, 15, or 20 years without any residence while it was building.

Mr. *Wilberforce,* in allusion to what had fallen from the hon. gentleman who spoke last, begged to be allowed to say, that he was sure the duke of Wellington would derive the greatest pleasure from observing the gradual growth of the building that national gratitude would erect for him.

The motion was agreed to, *nem. con.*

Stamp Duties Bill.] The House having resolved itself into a Committee on the Stamp Duties Bill,

The *Chancellor of the Exchequer* proceeded to state his intentions with respect to the various objects comprehended in the measure. In the clause which related to the composition to be paid by the Bank of England for the exemption of their paper from the Stamp-duty, he meant to propose no alteration. The next subject was the duty on Probates; and as it had been considered a hardship that it should operate on the whole of the effects of the deceased, instead of on the balance after the debts were paid, he intended to propose a drawback to remedy this grievance for the present, although he felt that the whole of this subject was one which must soon undergo parliamentary investigation, with a view to a general arrangement of it. There were two subjects remaining—one, the licences for the issuing of promissory-notes, which he was content to abandon in this instance, meaning to bring the consideration of them before the House in the next session; the other, the stamps on law proceedings in Scotland, which he proposed to remain as they now stood in the Bill.

On the reading of the first clause, relating to the Bank Composition,

Mr. *Grenfell* observed, that he agreed with his right hon. friend on the principle of the proposed composition, and differed from him only as to its extent. He repeated his former statement, that by the neglect of his right hon. friend's two predecessors on this subject, the public had sustained a loss, and the Bank had gained an undue profit, which, correctly calculated from the documents on the table, amounted to no less a sum than 534,183*l.* He was happy to make this declaration in the presence of a great number of the Bank Directors; by whom, if unfounded, it would no doubt be controverted. The hon. gentleman proceeded to contend, that up to the year 1799 the composition was fairly estimated, with respect both to the Bank and to the public, but that from the year 1799 to the present moment those circumstances had been overlooked, which had occasioned the loss to the public that he had already mentioned; and in support of this argument, he entered into an historical detail of the negociations between the Government and the Bank in the years 1791, 1799, 1804, and 1808; maintaining that at the two last-named periods no reference had been had to the greatly increased circulation of Bank-of-England paper. The public having lost so much already, he could not conceive on what principle Parliament could now be called upon to give the Bank an additional bonus. Yet such would be the effect if his right hon. friend's proposition were adopted. If the average of paper in circulation were taken for the last three years, as proposed by his right hon. friend, it would produce 87,500*l.* If the average were taken of the paper of one year, as proposed by him (Mr. Grenfell), it would amount to 99,000*l.* for the notes, besides a large sum for the Bank Post-bills, which the absence of the necessary documents rendered it impossible for him to calculate with accuracy. He could see no reason why the Bank of England should enjoy any greater advantage on this subject than a private banker; and even if his proposition were adopted, they would still have an advantage, as the private banker must pay duty on the notes which he issued, and not on those only in circulation, although he might not circulate nearly as many as he obtained stamps for. The hon. gentleman concluded by moving an amendment to the clause, substituting the average of one year for the average of three years, and providing that the notes should be distinguished into classes of different value, &c.

The *Chancellor of the Exchequer* did not consider that Mr. Pitt's principle of arrangement had been materially departed from either by lord Sidmouth or Mr. Perceval. When the Bank stopped payments in cash, it was thought by writers that the outstanding notes amounted to 20,000,000, whereas they were only 12,000,000. The difference between the arrangements was, that the former one was permanent, and the present fluctuating, according to the notes in circulation. He considered himself wholly responsible for this arrangement, such as it stood. He had offered terms consistent with the public advantage, and with the faith of Parliament. The right hon. gentleman contended, that it was vain to enter into an examination as to the equality of charge upon the Bank as compared with what might be paid by private bankers. It was impossible to institute such a comparison, because there was no similarity in the situation of the parties. No private bankers could accommodate Government with the advances made by the Bank of England. The principle on which he had proceeded was, that the public were entitled to as full a composition as was consistent with these indulgencies, the continuance of which the Bank had well merited. He had adopted a triennial average in preference to any other, and, upon the whole, conceived a very advantageous bargain had been concluded, as compared with the former arrangement, without at the same time pushing the Bank to that extreme of concession which was irreconcileable with the system hitherto pursued.

Mr. *Bankes* thought it a strange fancy to represent the loans at low interest advanced by the Bank as a sort of payment for the licence of trading. The public, in his opinion, paid sufficiently, and even extravagantly for the accommodation, and for the general transaction of its business. All that could be urged in favour of the existing system, was the excellence of the security. But he must object to the use of the word 'composition,' as not expressive of the true idea that ought to prevail. In the Act of Parliament which recognized the present settlement, the word was 'compensation,' and the ordinary convertible term of that word was 'equivalent.' He could see no reason why the Chancellor of the Exchequer should adhere to an erroneous system. When the compensation was first fixed, it was not in the contemplation of Mr. Pitt, or of Parliament, to give any advantage to the Bank; they ought, indeed, rather to pay more than less than other bankers, for the advantage of not being put to the trouble of stamping every note. The Bank ought not to shelter themselves under an unfair construction of former Acts of Parliament. He considered the taking the average as advantageous for the Bank. That opulent body would, he thought, be acting more fairly and honourably by the public, if they did not attempt to claim any exemption from the common burthens of the country.

Mr. *B. Shaw* contended, that the Bank had acted, not only fairly and honourably, but liberally towards the public. He insisted on the danger of opening transactions entered into by the Chancellor of the Exchequer. In stating the amount of Bank paper in circulation, and the duty on it, it had been forgotten that three millions were lent by the Bank to Government without any interest, and another three millions at only three per cent. There ought not to be any composition on these six millions.

Mr. *Forbes* said, that on the principle laid down by the preceding speaker, all discussion of the present Bill was unnecessary. With regard to the three millions lent to Government without interest, those three millions made only part of eleven millions of public balances in the hands of the Bank.

Mr. *Thornton* thought, that enough had been said in defence of the agreement made between the Chancellor of the Exchequer and the Bank, to render it unnecessary for him to trouble the committee with any observations. Indeed, he despaired of making any impression on the honourable members opposite to him, as they received every thing that came from any gentleman connected with the Bank with great prejudice, though he could assure them he endeavoured to discharge his duty with uprightness and impartiality between the public and the great corporation for which he was a trustee. Supposing him, however, to err by leaning to the side of the Bank, he was certainly met by a more than equal zeal, and he might say prejudice, by the gentlemen on the other side. He then defended the agreement made at different times for a compensation in the stead of stamp-duties, and gave some explanations respecting the renewal of the charter, and the privileges it gave. On the present occasion a new principle had been agreed upon between the Government and the Bank, which raised the compensation to 87,500*l.* a year. It was proposed by the Chancellor of the Exchequer, and acquiesced in by the Bank. Would the House annul such a contract for the sake of gaining 4,000*l.* a year, when they considered the immense transactions the public had with the Bank, and how important it was to maintain its character and credit? Was it nothing to refuse to ratify what the executive government had thought reasonable and just? He then showed some errors in Mr. Grenfell's calculations respecting the profits of the Bank, and sat down with an assurance that the House would always find the directors liberal and fair in their dealings with the public.

Mr. *Mellish* made some observations upon the calculations of Mr. Grenfell, which he could not agree with. He considered, that it would be fairer to take an average of three years, as was the case in the Property-tax, than to fix upon the last year, which was one when the issues were uncommonly great. Whether, however, the sum was 91,000*l.* or 87,000*l.* the difference would not be a material object to the Bank.

Mr. *Grenfell,* in explanation, said, that 99,572*l.* would be the proportion that the Bank ought, in his opinion, to pay on account of the issues of the last year. He should, however, abstain from entering more fully into the subject, as the regular discussion would come on on Monday.

Mr. *Finlay* thought the Bank ought to contribute in the proportion of all other classes of subjects.

Lord *A. Hamilton* said, if it had not been for his hon. friend (Mr. Grenfell), this subject would never have come before them; and he had thereby been the means of rendering a most signal service to the country.

General *Thornton* expressed his regret at the frequent attacks made upon the Bank in that House, as being injurious to that establishment, and consequently to the public. He also thought that the gentlemen on the ministerial side were too much in the habit of giving way to such attacks. The honourable general supported the motion.

The House then divided.—For the motion, 32; Against it, 12. A conversation then took place, between the Chancellor of the Exchequer and Messrs. Mellish, Preston, Grenfell, Huskisson, and Forbes, as to the right which should be vested in Parliament to form a new arrangement, when it might be deemed necessary. It was terminated by the Committee agreeing, on the suggestion of the Chancellor of the Exchequer, to leave certain words out of the clause, by which the proposed object would be attained.—On the clause, relative to licences for Scotch bankers being read, Mr. Forbes proposed an amendment, for the purpose of placing the private banks in Scotland in the same situation, with respect to licences, as the chartered banks. This gave rise to a conversation, which was ended by the Chancellor of the Exchequer agreeing to postpone the original clause, until some gentlemen, connected with the chartered banks of Scotland, were present. The chairman then reported progress, and obtained leave to sit again to-morrow.

DUKE OF WELLINGTON'S ESTATE BILL.] The House having resolved itself into a committee on the Duke of Wellington's Estate Bill, Mr. Lushington proposed a clause, providing that the illustrious Duke, his heirs, and his successors, should hold the estate and mansion, voted by Parliament, on condition that a tri-coloured flag should be annually presented, on the 18th of June, to his Majesty or his descendants, at the Castle of Windsor. The clause was agreed to, and the report ordered to be received to-morrow.

HOUSE OF LORDS.

Friday, June 30.

PARISH APPRENTICES.] The Marquis of *Lansdowne,* in moving the commitment of the Parish Apprentice Bill, said, it was known that great abuses had existed in the apprenticing of parish children, in places far distant from their place of birth, and where they were removed from all their friends, and from the superintendence of any one who took an interest in their fate. The object of the present Bill was to limit the distance to which these children could be sent, to 40 miles. This limitation had been thought by a noble and learned lord too strict, and that noble lord had thought that a less strict limitation, but with a provision for the superintendence of the justices of peace, would be more advisable. He should move that the Bill be committed, and the amendment proposed by the noble and learned lord being introduced, he should move that it be reported and printed, with the intention of suffering it to stand over to the next session, so that in the mean time it would be open to the inspection of the magistrates who were best informed on this subject, especially those of the Manchester district.

The Bill then went through a committee, was reported, and ordered to be printed.

FOREIGN SLAVE TRADE BILL.] The Marquis of *Lansdowne* moved, that the report of the Foreign Slave Trade Bill be brought up.

The Earl of *Westmoreland* opposed the motion, on the ground that the crime against which it professed to provide was not even shown to exist. The Bill would implicate persons who might be innocent of any criminal intention, and the offence was to be tried before the Admiralty tribunals abroad, which were often very improper courts to be intrusted with the trial of such causes. The crime of lending money to support the Slave Trade was already sufficiently provided against by the forfeiture of all the money embarked in it, and by the knowledge that the trader, if discovered, would become a felon, and thus be rendered unable to pay any debt. His lordship then moved that the report of the Bill be received this day three months.

The Marquis of *Lansdowne* observed, that from the prospect of a speedy peace, it would be proper to provide against the application of British capital to a traffic in which the profits were well known to be immense; and this could not be done by pecuniary forfeitures, but only by fixing the stamp of infamy on persons engaged in it. The offenders were ordered to be tried in the settlements where the crime was committed, because in those places there would be the best means of proving either the guilt or the innocence of the person accused.

The *Lord Chancellor* said, that the House should be very cautious in passing the Bill which was before them, as the extent to which it went, would perhaps surprise persons who had not attentively examined it. Under the Bill any person who possessed a mortgage on lands in a foreign settlement, would be acting criminally if he advanced an additional sum on the same security, although that sum might be absolutely necessary to the preservation of the value of the property and consequently of his own mortgage. A man could not even lend without security to a possessor of foreign colonial possessions, because, according to the law of those colonies, all estates were assets for the payment of the debts of the proprietor. He was surprised such a Bill should have passed the Commons, where there were persons acquainted with the West-India laws and West-Indian transactions; and he should feel it his duty to oppose it, as it had not been shown how far the present law was insufficient to prevent the evil complained of.

The Earl of *Harrowby* supported the Bill, and said it would be still in the power of holders of foreign colonial possessions to borrow money on the produce. If the Bill, however, had the effect of stopping altogether the application of British capital to the cultivation of foreign colonies, it would be an object highly desirable.

The Earl of *Morton* opposed the Bill, as laying down bad principles, which it did not venture to carry into practice.

Lord *Ellenborough* remarked on the savage character of the Bill. A man who had negroes in Jamaica and St. Thomas's, and who transferred one of them from one island to another would be liable to be transported. The Bill was an emanation of that fanatical irregularity of mind, which would render that excellent measure, the Abolition of the Slave Trade, odious in the West India Islands. When such a sweeping measure of legislation was proposed against any Act which might keep alive the Slave Trade, it might not be improper to provide against abuses of the Charter of the Sierra Leone Company, which had been rumoured to exist. His lordship alluded to certain reports which were in circulation respecting a member or members of the Sierra Leone Company, and expressed his hope that it was not correct that any of the members of that Company had attempted to counteract the purposes of the abolition, contrary to the professed objects of the institution.

The Earl of *Rosslyn* supported the Bill, and said, that if the noble and learned lord had read the answers to the reports to which he had alluded, he would have been fully convinced that the charges were unfounded.

Lord *Ellenborough*, in explanation, said, that he had not asserted that the rumours were true, but only that they were in circulation.

The Earl of *Liverpool* admitted that the Bill was drawn up in a slovenly manner; but he thought the object of it was good, especially as far as it prevented the application of British capital to the cultivation of foreign colonies. It would be an injustice to our colonies, where the Slave Trade was abolished, to allow British capital to be applied to the cultivation of colonies where the Slave Trade existed. Persons who had vested property in foreign colonies, had done it at their peril; and in the case of the French colonies which were in our hands, warning had been given, that it was not the intention of this country to retain them, by the prohibition on the importation of their produce.

The House then divided:

For the Report 9; Proxies 10 ... 19
Against it ...... 12; Proxies 12 ... 24
Majority ....—5

The Bill was consequently lost.

HOUSE OF COMMONS.

Friday, June 30.

Duke of Cumberland's Establishment Bill.] The Chancellor of the Exchequer presented a Bill "to enable his Majesty to make provision for the Establishment of their royal highnesses the Duke and Duchess of Cumberland; and also to settle an annuity on her Royal Highness during the time of her natural life, to commence from the decease of his said Royal Highness, in case her said Royal Highness shall survive him." On the motion, that the Bill be now read a first time,

Lord *Archibald Hamilton* rose. In delivering his sentiments to the House on the very extraordinary grant which was now proposed to them, he desired first to repel the charge that had been made on the other side, that the opposition which hon. members on his side had expressed to this measure was merely of a personal nature. That opposition, he was convinced, arose not only from the subject of the grant itself, but from the manner in which it had been brought before them; for what, he would ask, were the circumstances, under which the House were now called upon to vote an additional income to the duke of Cumberland? There had been no previous congratulation on his Royal Highness's marriage; and he felt persuaded, that no part of the country regarded it as an auspicious or desirable occurrence—[Hear, hear!]. A question had been put last night to the noble lord opposite, whether the parties would be received at Court: but the noble lord had not only refused to answer that question, but had even reprobated the conduct of his right hon. friend, who had so properly put it. What opposition, therefore, could be of a more public nature, when it remained uncontradicted that Her Majesty had intimated a determination not to receive the wife of the duke of Cumberland at Court? If there existed any blame in the agitation of this question; if there was any appearance of slander on the royal persons who were interested in it, the whole of that blame and that slander came from the other side of the House—[Hear, hear!]. His Majesty's ministers seemed to conceive, that the House were bound immediately to increase the allowance of those persons, without any previous consideration of their conduct: but he trusted that honourable members would not forget the duty which they owed both to the country and to themselves. Some gentlemen had attempted to compare the marriage of the duke of Cumberland with that of his royal highness the duke of York; but it was a totally different case. On the latter event, both Houses of Parliament had offered their congratulations; but the public ministers would not venture to propose such a measure on the present occasion. They would not even say, that the noble duke was to be permitted to reside in this country. For his part, he did not think it likely that his Royal Highness would reside here; and, indeed, there had been a kind of official intimation, that he was expected to live abroad. If, therefore, he was to reside out of the country, his present income was quite sufficient, and under these circumstances he should certainly oppose the Bill in all its stages —[Hear, hear!].

Mr. *Burrell* said, he had not heard a single argument in favour of the grant, but many good reasons against it. Most unfavourable rumours existed respecting the conduct of both parties, and no attempt had been made to remove them. For these reasons, therefore, he should move an amendment, "That the Bill be read a first time on that day three months."

Mr. *Douglas* spoke in favour of the measure. The consent of the Crown had, it appeared, been regularly obtained for this marriage, and it would, he thought, be doing a great wrong to the duke of Cumberland to exclude his Royal Highness from that consideration which had been usually granted, which indeed could not be consistently refused, to the other branches of the Royal family. As to the rumours which had gone abroad upon this subject, they were said to be uncontradicted, but that was perhaps because they were not thought worthy of contradiction; and if they were not encountered, it was only because they did not appear in a tangible shape. Upon the whole he could not see why the duke of Cumberland should not, as well as the other branches of the Royal family, be enabled to maintain the splendour of his rank, or that any attention should be paid to rumours, upon the merits of which it was impossible for that House to form a judgment.

Mr. *Wilbraham Bootle* said, that he was anxious to explain the grounds upon which he had voted, and meant still to vote against the measure before the House, because he should be sorry if such votes could be supposed to proceed from any want of due respect or solicitude for the interest and dignity of the Royal family. He would not enter into the merits of the duke of Cumberland; but, considering this as the only opportunity the House would have of expressing its sentiments upon the subject of this marriage, he felt himself called upon, in this instance, to state his opinion upon it. Upon such an event it was usual to apply to the House for a vote of congratulation; but that custom was deviated from on this occasion, and that deviation betrayed something of which he could not approve. Such a deviation, indeed, warranted a suspicion that those even who supported this Bill did not think the marriage worthy of approbation—[Hear, hear!]. This marriage, in fact, took place in privacy. It was not mentioned in the Gazette—it had not even the ordinary publicity of a marriage between private individuals, for it was not stated in the newspapers. It was said to have taken place in May last; but that was not known until it was stated in that House upon bringing forward this measure. There could not, it appeared, be any doubt of the fact, that the female part of the Royal family disapproved of this marriage; and that disapprobation formed a strong argument against the present Bill. But if, under all the circumstances, such a Bill were adopted, and such a marriage sanctioned, where, he would ask, was the House to draw a line upon any marriage contracted by a member of the Royal family, however improper that marriage might be? He did not wish to draw any invidious comparisons, but he confessed that he heard with satisfaction the suggestion of the hon. member for Bristol, as to the propriety of granting some reward to the Commander-in-chief—[Hear, hear! on the Ministerial side]. As Parliament had acted so liberally and so justly towards the duke of Wellington for conducting our brave army to such glorious triumphs, surely some consideration was due to the merit of him under whose care that army was formed for great achievements—[Hear, hear!] The duke of York had, for a series of years, been training our army; and such was his skill and firmness, such his candour and good-nature, as to deserve general approbation. It was a fact, indeed, that this illustrious person had not, throughout his command, been engaged in any dispute with a single officer, one only excepted, who was lately a member of that House—[hear, hear!], but who had lately found it convenient abruptly to quit the country (Mr. Cochrane Johnstone); yet the duke of York had for such eminent services received only 3000*l.* a year, which was not more than the salary of an Under Secretary of State. He trusted, therefore, that some additional provision would be made for his royal highness the Commander-in-chief.

Lord *Castlereagh* could not help complaining of the conduct of his hon. friend, in stating to the House, that the marriage of the duke of Cumberland had been conducted with privacy. The fact was, and the Prince Regent had expressly declared in his Message to the House, that the marriage took place under the previous sanction of the Crown; it was a marriage solemnised at Berlin, in presence of several members of the family of the duke of Mecklenburgh Strelitz, and the representative of the British Court; and as to the non-appearance of the marriage in the Gazette, that was owing merely to a casual omission. In regard to what the hon. member had mentioned respecting the merits of his royal highness the duke of York, no man could be more deeply impressed than himself with a due sense of his Royal Highness's most important services; and he was sure that the country would acknowledge, that much of the glory we had lately attained, was to be ascribed to his Royal Highness; but he lamented exceedingly, when a question respecting one branch of the Royal family was before the House, that the hon. member should have digressed into a consideration of the merits of another branch. As to the marriage of the duke of Cumberland, he repeated, that it was not solemnised in privacy, and that the addition now proposed to be made to his income was necessary for the support of his rank and dignity. Thus much he thought it necessary to say, in reply to his hon. friend who spoke last, because he wished to satisfy his mind, being fully convinced of the purity of his motives.

Mr. *Whitbread* began by observing, that the latter part of the speech of the hon. member on the other side of the House was totally irrelevant to the motion under consideration. No one, however, he admitted, could review the late events without giving due praise to the Commander-in-chief, who had placed the army in such a state of efficiency as to achieve the most brilliant exploits—[Hear, hear!]; and in adverting to those events, he could not avoid saying, that he was sorry to see lord Wellington, in his recent general order, applying such epithets to his opponent, who had, according to that gallant officer's own acknowledgment, so ably contended against him but a few days before, as to render the result of the contest doubtful. Would it not, then, have been more becoming in a great conqueror to have spared such language? But to revert to the duke of York; whenever the distinct merits of that prince should be brought before the House, he should be ready to state his opinion upon the subject. With respect to the question before the House, he had already marked his sentiments by his vote, and he now felt it his duty to speak against it, for he could not think the case under discussion such as to deserve the liberality of Parliament. Some gentlemen seemed to think, that under the Marriage Act—which was most galling to the Royal family, and was not productive of any good effect whatever—the House were bound, the Crown having sanctioned the marriage of one of the Royal family, to make provision for the parties. This, however, was a case in which the principle did not apply, since an illustrious personage had declared her decided disapprobation of the marriage. The fact had been stated—and, as it was not contradicted, he must presume that it was true. In and out of that House there was but one opinion respecting the proposed grant. No sufficient grounds had been laid for voting it, while very sufficient grounds existed for rejecting it, and therefore he should conceive himself acting most unwarrantably, if he gave it his assent.

Mr. *Hammersley* said, he should support the vote, because he thought it rested on the strictest parliamentary grounds, and that no parliamentary ground had been alleged against it. He apprehended the Crown had made a bargain with that House to have its own dignity and splendour properly supported; and the question was, whether they ought not to grant some provision upon the marriage of one of the branches of the Royal family? if so, it could not be denied that the present was a moderate demand. With respect to the personal allusions which had been made, he should be ashamed to repeat such scandalous and calumnious accusations, upon such slight grounds as those on which they rested. He had taken the pains to inquire into those reports, and he had never heard any satisfactory reason for the aspersions that had been cast upon the duke of Cumberland. He would even ask the hon. gentlemen who had indulged in them, whether the nature of the information which they received was sufficient to justify the attempt to degrade that illustrious individual in the estimation of the country?—[Hear, hear!] A right hon. gentleman, of whom he wished to speak with every possible respect, had asked a question of the noble lord, which he knew could not be answered, and then grounded an argument upon that denial. In his opinion, if the noble lord had given an answer to it, he would have deserved to be banished from his Majesty's councils for ever.

Mr. *Tierney* wished to say one word in consequence of what had fallen from the hon. member. The question which he had taken the liberty of asking, he then thought, and still considered, a proper one. The House of Commons was called upon to grant a certain sum of money to support the dignity and character of a branch of the Royal family, and the only object of such a grant must have had a reference to this country; but he happened to hear, that a certain illustrious personage had declared she never would suffer the lady to appear at Court, and he questioned the noble lord as to the accuracy of that fact. It was a question which, under all the circumstances of the case, he was justified in asking; and as the noble lord thought proper to refuse any answer, he was warranted in drawing the conclusion, that, for some reasons which he should not presume to guess at, the duke of Cumberland had married a lady whom the Queen would not receive. The more he thought of this matter, the more he was convinced that the House ought not to agree to this grant, and therefore he was the more determined to oppose it in every stage.

Mr. *Methuen* contended, that the House ought to show, by its vote that night, that it was not inattentive to the morals of the country, and therefore he should oppose the grant; not from the slightest personal motives, but merely in the conscientious discharge of what he conceived to be his duty.

The House then divided, when the numbers were,

For the first reading of the Bill	100
Against it	92
Majority	—8

List of the Minority.

Abercrombie, hon. J.
Aubrey, sir J.
Acland, sir T.
Atkins, John
Baring, A.
Bankes, H.
Brand, hon. T.
Barham, J. F.
Barnard, viscount.
Bennet, hon. H. G.
Burrell, sir C.
Burrell, hon. P.
Butterworth, Jos.
Baillie, ——
Calvert, C.
Calvert, N.
Cavendish, lord G.
Cavendish, hon. H.
Campbell, D.
Campbell, hon. J.
Calcraft, J.
Courtenay, W.
Duncannon, viscount
Dundas, hon. L.
Davenport, D.
Dowdswell, J.
Fawcett, H.
Finlay, K.
Fazakerley, J. N.
Fergusson, sir R.
Fitzroy, lord J.
Frankland, W.
Fitzgerald, rt. hon. M.
Farquhar, J.
Gordon, R.
Grenfell, P.
Gooch, T. S.
Hughes, W. L.
Horner, F.
Howorth, H.
Jolliffe, H.
Kemp, Thomas
Keene, W.
Knatchbull, sir E.
Latouche, Robt.
Lemon, sir W.
Lewis, F.
Lyttleton, hon. W.
Lloyd, sir Edw.
Maitland, E. F.
Macdonald, J.
Mackintosh, sir J.
Martin, J.
Mills, Charles
Moore, P.
Mostyn, sir Thomas
Methuen, P. C.
Munday, E. M.
Neville, hon. R.
North, D.
Nugent, lord
Ossulston, lord
Onslow, Arthur
Parnell, sir H.
Peirse, Henry
Piggott, sir A.
Poulett, hon. W. V.
Protheroe, E.
Preston, Richard
Pelham, hon. C.
Russell, R. G.
Russell, lord J.
Rowley, sir Wm.
Robinson, G. A.
Ramsden, J. C.
Smith, Wm.
Smith, R.
Shakespear, A.
Sebright, sir John
Swann, H.
Shaw, B.
Tremayne, J. H.
Tierney, rt. hon. G.
Tavistock, marquis
Warre, J. A.
Whitbread, Samuel
Western, C. C.
Wilbraham, E. B.
Wynn, sir W.
Wynn, C.
Williams, sir R.

TELLERS.

Lord A. Hamilton
Walter Burrell.

BREAD ASSIZE REPEAL BILL.] Mr. *F. Lewis* moved the order of the day for the House going into a committee on the Bread Assize Repeal Bill.

Mr. *Calcraft* wished to know, whether it was the intention of the hon. gentleman to press this Bill during the present session?

Mr. *Frankland Lewis* said, he would be guided by the wishes of the House. His own conviction of the importance of the measure, however, induced him to think it was highly expedient it should be carried without delay. If it was postponed, he hoped gentlemen would really pay attention to the subject, and not have the Bill delayed merely *pro formâ.*

Mr. *Rose* said, his mind was made up on this subject; and if any assistance of his was necessary to carry the Bill through, he would most readily give it. It appeared to him, from every view of this question, that the assize of bread ought not to be continued in London; and this opinion he adopted, because he was satisfied that the returns of the price of flour, upon which the assize was fixed, were invariably false. He thought differently with respect to the country; however, in the country, the real price of flour could be obtained. If the power of setting the assize was not had recourse to, he thought it would be a great advantage that the power should be vested in the country magistrates.

The *Chancellor of the Exchequer,* under all the views which he had taken of this question, recommended to the hon. gentleman not to push the Bill beyond a stage in which it could be properly considered during the present session. He had no doubt, when the Bill was passed, that it would be productive of the most beneficial effects to the public; yet, as all sudden alterations were impolitic, he thought the postponement of the measure to a future period would tend to remove those objections which, upon a first view of it, were likely to arise.

Mr. *Western* said, he should feel extreme regret if the progress of this Bill was delayed, from a conviction that the public had been considerable sufferers, and still continued to be sufferers, under the Assize laws. He thought the evidence which had been submitted to the committee, from whence this Bill had emanated, afforded the strongest grounds for trying the experiment of abandoning the assize altogether.

Mr. Alderman *C. Smith* thought the passing of the Bill would be a relief to the bakers, and that there never could be a more favourable time than the present, when corn was so low, for making the experiment.

Mr. Alderman *Atkins* did not object to trying an experiment, but could not agree to parting wholly with the assize. He wished to see a fair principle of average fixed upon. He was aware that, respecting the assize, there was much prejudice against his opinions, which, though he firmly believed in them, he was not so presumptuous as to expect every one to agree to. If this Bill passed, there would be no authority left to say any thing as to the price of bread on the part of the public.

General Thornton and Mr. Preston were in favour of the Bill. The Bill was committed, and read a first and second time.

Mr. Alderman *Atkins* suggested that the magistrate should retain his power, to exercise it in such cases as he should think fit.

Mr. *F. Lewis* objected to this, as being contrary to the object of the measure.

Mr. Alderman *Atkins* then proposed as an amendment, that the Act should only continue for one year from the passing of the Act.

The *Chancellor of the Exchequer* hoped the hon alderman would not press his amendment in the present state of the House, there being but very few members present.

After a desultory conversation, in which alderman C. Smith and Mr. Western took part, alderman Atkins said he should not press his amendment then. He then proposed a clause to allow bakers to make bread of any weight, without binding them to a specific quantity in the size of the loaf, but merely to sell it at a certain price per pound. This clause was rejected, and Mr. F. Lewis proposed a clause for the continuance of the present size in the quartern loaves, &c. which was received and agreed to. The clause respecting distance, for the operation of the Bill, was filled up with the words "within ten miles." The other clauses were agreed to, with some slight amendments. The Report was then brought up, and ordered for further consideration on Tuesday.

HOUSE OF LORDS.

Monday, July 3.

THAMES BATHING BILL.] Lord Sidmouth presented certain petitions against this Bill, which were ordered to lie on the table. On the committal of the Bill,

Lord *Sidmouth* adverted to what had passed elsewhere upon the subject of this Bill, and, after expressing his disinclination to press any proposition likely to be rejected in the other House, observed, that several representations had been made to him by respectable individuals resident on the banks of the Thames, as well as by watermen and others, with regard to indecent exhibitions on the river, and moved a clause to prohibit bathing from seven o'clock in the morning until sun-set, within a certain distance of any public stairs, or openings to streets.

The clause was agreed to. The House resumed, and the Report was ordered to be brought up to-morrow.

HOUSE OF COMMONS.

Monday, July 3.

Lord Cochrane appeared at the bar, and on the Speaker's asking if there were any members to be sworn, his lordship advanced towards the table. The Speaker said, the hon. member must be introduced by two members, on which sir Henry Montgomery and Mr. Teed placed themselves on each side of him, and walked up to the table, when his lordship took the oaths, and afterwards his seat.

THE DUKE OF CUMBERLAND'S ESTABLISHMENT BILL.] The Chancellor of the Exchequer moved the second reading of the duke of Cumberland's Establishment Bill.

Mr. *Western* said, it was not his intention to detain the House by adverting to those topics which had been brought forward in the previous stages of this Bill, and still less did he intend to advert to those considerations which were of a more personal nature; nor did he mean to avail himself of that opportunity to draw, what he must regard as invidious, a comparison between the Royal Duke who was immediately under the consideration of the House, and another illustrious Personage; but he rose principally to express his surprise that the right hon. gentleman should persist in pressing the measure to a conclusion—[Hear, hear!] The majority on the first night even was extremely small; but when he saw that since that time it had decreased from 17 to 12, and then from 12 to 8, he could not comprehend upon what principle the right hon. gentleman was determined to persevere. He hoped, however, the division of that night would convince him, that the House was composed of better tempered metal, than to permit him to carry forward any further a measure which had been so severely criticised, and so very generally disapproved, in the strongest terms that could well be expressed, seeing that it was a subject which every one considered as of a most delicate nature. No communication had been made to the

House by way of asking its approbation. Nothing had appeared that showed the alliance was either honourable or advantageous to the Royal family or to the country; and if the House had any discretion belonging to it, they ought to use that discretion by refusing to grant so much money out of the pockets of their constituents, for the purpose of giving additional splendour to a connexion which, according to all accounts, was far from being desirable. For these reasons he should move as an amendment to the motion, that instead of "now," "the Bill be read a second time this day six months."

Sir *H. Montgomery* said, that when the present Bill was first brought into the House, he voted for it because he thought the proposed sum was no more than what was necessary; but from what he had heard since, he almost fancied he had done something very wrong. In all the inquiries, however, which he had made upon the subject, he found nothing but loose assertions; no person knew or could state any crime of which his Royal Highness had been guilty. In the present case he really saw nothing which would warrant the House in putting such a stigma upon his Royal Highness as would be conveyed by refusing the grant. As to the assent of Her Majesty, with respect to the marriage, he thought it was of very little consequence to that House. As one of the King's sons, he thought the duke of Cumberland ought to have a provision made for him, on his marriage; and he was of opinion that those in particular who had so lately voted one million and upwards for paying the debts of the Empress Catharine, would with an ill grace refuse to sanction the grant of so small a sum to support the rank and dignity of one of the sons of the Sovereign. He should therefore vote in favour of the motion.

Mr. *W. Dundas* observed, in reply to what had fallen from an hon. gentleman, that if the proposition were to be withdrawn because of the small majorities which had been obtained, it would be declaring that the minority was to dictate in that House, and that the majority did not speak the sense of Parliament. It should be remembered, however, that very important questions had been determined by very slender majorities. As to the point, whether the alliance was one that would be advantageous to this country, he apprehended that was not a necessary consideration for that House to enter into; they were not to weigh such alliances merely by the advantages which they produced. He believed, indeed, that when our illustrious Sovereign married, no peculiar political benefits were to be derived from that event. The duke of Cumberland had married with the consent of the Crown, and so far it was a legal marriage; and surely that House would not suffer that the wife of one of the Royal family should be in a state of destitution, supposing her to survive her husband. On that ground he should certainly support the motion.

Mr. *Wilberforce* confessed that the view in which he considered the present question, had a reference to the public morals of the country. The question which had been put by a right hon. gentleman (Mr. Tierney) remained unanswered, and they must therefore believe, that the connexion was one which a certain great Personage had refused to sanction with her approbation. He could not think that a slight or an unimportant circumstance—[Hear, hear!] He must say, also, that the various rumours which were afloat, respecting the person with whom that connexion was formed, constituted a strong corroboration of the report that that person would not be received by the Queen. He conceived that Parliament was called upon to exercise a sound discretion upon the subject before them, and if in expressing its opinion any pain was inflicted, the blame was attributable to those only who had brought the measure forward—[Hear, hear!] He certainly saw no necessity for the grant upon the grounds which some hon. gentlemen had stated; for he was quite persuaded, that if the lady should ever be in a state of widowhood, that House would always be disposed to grant such an allowance as would enable her to live suitably to her rank and dignity. He trusted, therefore, that the House would not be betrayed into a sanction and approbation of that marriage under the plea of providing against a contingency which might never happen. He must say, that out of regard to public morals, they ought to withhold that sanction if the connexion was such as the Queen had refused to approve, which refusal they were justified in inferring.

Mr. *W. Bathurst* said, if the question about the approbation of a certain individual of the Royal family with respect to the marriage had been answered, he did not know what question might not be asked next. The question was reduced to a very narrow compass, namely, whether all the members of the Royal family should be allowed an adequate provision. The Legislature had thought it proper to allow each of them 18,000*l.* a year while unmarried. How, then, when the duke of Cumberland was married, could the House refuse to give him an increased allowance? He was actuated by no party feeling in the vote he should give, though it might be thought otherwise; but he could not think he should discharge his duty if he did not vote for the Bill.

Mr. *Whitshed Keene* repeated his arguments against the grant, as being an unnecessary incumbrance on the public.

Mr. *Protheroe* feared that an hon. gentleman, who had deprecated all invidious comparisons between the branches of the Royal family, alluded to some observations which had, on a former discussion, been uttered by him. If so, he begged leave to state, that he had not indulged in any invidious comparisons. He had praised a Royal Duke, but with no intention of drawing a contrast. All he said was, that if the Chancellor of the Exchequer found an overflow in the Exchequer, there were debts of gratitude which ought to be satisfied. With respect to the present question, he did not think it necessary that those who opposed the Bill should bring proofs against the character of the Royal Duke. It was competent for the House to exercise their discretion without such a formality. To consent to the Bill would be to sacrifice the moral character of the House, which was of such high estimation that no price could be an equivalent for its loss.

Mr. *Preston* said a few words, which we could not understand, from the loud cries of "Question," which continued during the whole time that the hon. member was speaking.

Mr. *Bathurst* replied, from which it appeared that the observations of the preceding speaker had some reference to the children of the duchess of Cumberland by her former husband, and the provision for them by the king of Prussia.

Mr. *Ellison* said, that nothing should induce him to go out of the House without giving publicly a decided opposition to this measure, because he honoured the people, and he honoured also that House; and the surest way to make the people also honour that House would be to reject this Bill, and every measure of a similar tendency. He was one of those members who generally supported ministers, and would continue to do so on every proper occasion; but if the House passed such a Bill as this, it would heap odium on its head, and he should even be ashamed to content himself with giving a silent vote against it. The House would suffer deservedly in the opinion of the country, should they grant this unnecessary addition to an allowance already sufficient. He was sure that it would do more harm than any thing of the like nature ever did.

Mr. *Holme Sumner* said, he had come up from the country on purpose to give his public disapprobation of this measure. He thought with the hon. gentleman who was lately the member for Yorkshire (Mr. Wilberforce), that the House had been placed in a very disagreeable predicament. It had been said by one hon. member, that the marriage had received the approbation of the Prince Regent; but no notification of that fact had been given to the House; and in his opinion, ministers had much to answer for, in consequence of placing the House in such a situation. He thought the question which had been put by a right hon. gentleman respecting the Queen's disapprobation, and her having declared that she would not receive the lady at Court, was a very proper one, though it had been found fault with by a noble lord and others. Ministers ought to have come to that House for a vote of approbation; and in asking for this grant, when they thought they could not obtain the other, they had done wrong. He was convinced, with an hon. member opposite, that if the lady should happen to be left a widow, there could be no doubt of the House exercising its wonted generosity; but in its present form, he could by no means give his assent to the Bill, and should, therefore, support the Amendment.

Sir *T. Acland* said, he would not oppose the proposed grant as excessive, because if it was at all proper, he thought it very moderate: nor would he oppose it on account of any insinuation against the character of his Royal Highness. But he would oppose it because of the connexion that his Royal Highness had made. That connexion was not only no advantage to the country; it was worse, it was contrary to the honour of the country. There were rumours afloat, that if true, rendered it highly discreditable; if they were not true, they ought to be disproved. These rumours were confirmed by the circumstance, that the object of them would not be received in a quarter where natural affection would make every allowance, every palliation that could be supposed at all admissible. But would any one venture to deny these rumours? If not, then there surely were parliamentary grounds for not granting any additional allowance in consequence of such an obnoxious connexion. It had been said, that as the marriage had taken place, there was now nothing to be done, but to grant the allowance. True, the marriage had been solemnized, and they were not seeking to dissolve it. But when the representatives of a free people were asked to tax themselves for the connexion, it ought at least to be shown that it was not a dishonourable one. The House was not consulted on the marriage, and therefore they could not have given their consent to it; but if they were now to make this grant, they would more than consent to it—they would approve of it—[Hear, hear!] He thought that even out of respect to the Royal family itself, they should not agree to the measure; for they should not load that family with the odium of seeming to have approved of such a connexion.

Mr. *Forbes* reprobated the argument against the Bill, derived from the rumours in circulation, and expressed his astonishment that the hon. baronet should maintain that those rumours ought to be believed until they were disproved. For himself, he had made it a rule through life, never to give credit to any report that he heard. There was only one person in the universe against whom he was ready to join in the general hue and cry. On the present occasion he should most conscientiously stand up in defence of the illustrious person who had been so grossly attacked, and vote for the Bill.

Sir *Gerard Noel* was very sorry that such a line of proceeding as had been adopted on this occasion had been pursued. He had no motive whatsoever other than what he conceived his duty in giving his vote for the measure. Instead of 6000*l.* a year, he could wish that the grant was 10,000*l.* He thought, that mere policy would direct the grant, and that we should encourage the illustrious pair to remain in the country, rather than by an unbecoming rudeness make them leave it. By giving this 6000*l.* a year, we might retain the other 18,000*l.* a year in the country; but by refusing the lesser sum, we should certainly lose the larger. He therefore gave his most cordial support to the Bill.

The House then divided, amidst loud cries of "Question," when the numbers were,

For the Amendment 126
Against it 125
Majority for the Amendment—1

The Bill was consequently lost.

List of the Majority.

Abercrombie, hon. J.
Acland, sir T.
Archdale, M.
Atkins, John
Bankes, H.
Barham, J. B.
Bennet, hon. H. G.
Barnard, viscount
Burrell, hon. P. D.
Burrell, sir C.
Burrell, Walter
Baring A.
Butterworth, Jos.
Baillie, James
Barclay, Charles
Byng, George
Calley, Thos.
Calvert, C.
Calvert, N.
Campbell, lord J.
Campbell, hon. J.
Campbell, D.
Cavendish, lord G.
Cavendish, hon. H.
Cavendish, hon. C.
Courtenay, W.
Cochrane, lord
Cocks, J.
Davenport, D.
Duncannon, viscount
Dundas, hon. L.
Dowdswell, J. E.
Davis, H.
Davis, R. H.
Ellison, C.
Ellison, R.
Egerton, W.
Farquhar, J.
Frankland, R.
Fawcett, H.
Finlay, K.
Fazakerley, N.
Ferguson, sir R.
Fitzroy, lord J.
Fitzgerald, hon. M.
Freemantle, W.
Foulks, sir M.
Fane, J.
Gordon, R.
Grenfell, P.
Guise, sir W.
Gypps, G.
Giddy, D.
Gascoyne, gen.
Hughes, W. L.
Howorth, H.
Hurst, R.
Hamilton, lord A.
Hanbury, W.
Halsey, J.
Keene, W.
Latouche, Robt.
Lyttleton, hon. W.
Lemon, sir W.
Lewis, Frankland
Lloyd, sir Edw.
Lefevre, Shaw
Langton, Gore
Markham, admiral
Manning, Wm.
Molyneux, T. H.
Morland, Scrope Ber.
Mostyn, sir Thos.
Maddocks, W. A.
Martin, H.
Martin, J.
Mackintosh, sir J.
Moore, P.
Mills, Charles
Macdonald, J.
Maitland, E. F.
Napier, James
Neville, hon. R.
Nugent, lord
North, D.
Ossulston, lord
Osborne, lord F.
Onslow, Arthur
Preston, Richard
Parnell, sir H.
Proby, lord
Protheroe, E.
Plumer, W.
Peirse, Henry
Piggott, sir A.
Pelham, C.
Pocock, George
Perring, sir S.
Rashleigh, W.
Robinson, A.
Romilly, sir S.
Russell, lord J.
Russell, R. G.
Staniforth, John

Sumner, H.
Scudamore, R.
Shakespear, A.
Sebright, sir John
Shaw, B.
Shelley, sir T.
Smyth, John H.
Smith, John
Smith, R.
Smith, Abel
Smith, George
Smith, Wm.
Simpson, George
Taylor, C. W.
Tremayne, J. H.
Tierney, rt. hon. G.
Tavistock, marquis
Wilbraham, E. B.
Wynn, sir W. W.
Wynn, C.
Wilberforce, W.
Whitbread, Samuel
Wright, A.

TELLERS.

Paul C. Methuen
C. C. Western.

PAIRED OFF.

Atherley, A.
Brand, hon. T.
Ramsden, John C.

List of the Minority.

Alexander, Jas.
Addington, rt. hon. H.
Bagwell, rt. hon. W.
Bathurst, rt. hon. B.
Bathurst, hon. W.
Bective, lord
Benson, R.
Beresford, lord G.
Beresford, sir J.
Best, W. D.
Blake, Val.
Bloomfield, gen.
Bradshaw, hon. C.
Brogden, James
Brown, Ant.
Brydges, sir E
Buller, sir E.
Binning, lord
Bourne, Sturges
Calvert, John
Cotter, J. L.
Canning, George
Carew, R. Pole
Chichester, Arthur
Clements, Henry
Congreve, sir W.
Courtenay, sir T.
Cranbourn, lord
Croker, J. W.
Daly, James
Dawkins, James
Desborough, E.
Doveton, G.
Douglas, hon. F. S.
Dundas, rt. hon. W.
Estcourt, T. S.
Faulkener, sir F.
Featherstone, sir T.
Forbes, Charles
Foulkes, E.
Frank, F.
Frazer, ——
Fitzgerald, rt. hon. W. V.
Gower, lord
Gower, lord G. L.
Garrow, sir W.
Goulburn, H.
Grant, A. C.
Grant, Charles
Holmes, N.
Hammersley, H.
Hart, gen.
Herbert, C.
Hill, sir G.
Holford, G. P.
Hume, sir A.
Huskisson, rt. hon. W.
Jackson, S.
Idle, C.
Jekyll, Jos.
Jocelyn, lord
Kirkwall, lord
Loftus, gen.
Long, rt. hon. C.
Lopez, sir M.
Louvaine, lord
Lowther, viscount
Lowther, hon. H.
Lygon, hon. W.
Mahon, hon. S.
Manners, lord C.
Magennis, R.
Marsh, C.
Mellish, W.
Montgomery, sir H.
Moore, lord H.
Moorsom, admiral
Morgan, sir C.
Murray, sir J.
Noel, sir G. N.
Northey, William
Osborn, J.
Pole, rt. hon. W. W.
Pakenham, hon. H.
Palmerston, lord
Peel, rt. hon. R.
Phipps, general
Palmer, ——
Raine, Jonathan
Robinson, rt. hon. F.
Rose, rt. hon. G.
St. Paul, H.
Scott, sir W.
Seymour, lord R.
Shepherd, sir J.
Shiffner, G.
Sullivan, rt. hon. J.
Singleton, Mark
Smith, C.
Somerville, sir M.
Spencer, lord F. A.
Stewart, ——
Stewart, Alex.
Stopford, hon. E.
Stirling, sir W.
Sutton, rt. hon. C. M.
Teed, John
Thompson, sir T.
Taylor, John
Thornton, general
Thornton Samuel
Thynne, lord J.
Vansittart, rt. hon. N.
Ure, M.
Wallace, rt. hon. T.
Ward, R.
Warrender, sir G.
Wellesley, R.
Wemyss, gen.
Wetherall, C.
Wilder, general
Wharton, R.
Webster, sir G.
Wilson, C.
Yorke, sir J.

TELLERS.

Arbuthnot, rt. hon.
Lushington, W. S.

THE DUKE OF YORK.] Sir *J. Majoribanks* said, that on giving notice upon Friday last, of a motion of Thanks to the Duke of York, he was influenced by no other consideration than that he did not think the vote proposed last year was sufficiently extensive a return for the services of that illustrious personage: and that it was not so, had been a subject of regret to himself and every man with whom he had conversed on the subject. He declared that he acted with perfect impartiality in the motion he intended to bring forward, as he was not personally acquainted with the duke of York. At present he only wished to postpone his motion from this day till to-morrow.

STAMP DUTIES BILL.] Mr. Brogden brought up the Report of the Stamp Duties Bill. On the motion that it be agreed to,

Mr. *Grenfell* said, that he had recently obtained the knowledge of a fact with respect to that part of the Bill which related to the Bank composition. When he stated on a former evening, that in consequence of the oversight in 1804, and 1808, the public had lost 534,000*l.* he had been answered, that prior to 1804 the principle which had been acted upon by Mr. Pitt was, not to exact from the Bank the full sum for compensation, which they would otherwise have paid as duty. Having since examined into this matter, so far was this from having been the fact, that he pledged himself to the House to show that in 1799, the sum of 20,000*l.* fixed as the compensation to be paid by the Bank, exceeded the amount which the Bank would have had to pay at that time for Stamp-duty, with reference to the amount of their paper then in circulation. He repeated, therefore, that since that period the Bank of England had benefited improperly by their contracts with the public; and that unless they could contradict his statements, it was due to their own honour and to justice that they should make restitution to the country. If in an agreement between two individuals, any fact were withheld from the knowledge of one party, that would entitle him to a subsequent restitution of any benefit so unduly gained; and the same principle ought to operate in engagements of a public nature.

The *Chancellor of the Exchequer* observed, that as no account had been made out of the amount of Bank-of-England notes in circulation in 1799, he was at a loss to understand how his hon. friend had formed his calculation. With respect to the composition which the Bank were to pay by the Bill now in progress, it amounted very nearly to the sum which they would otherwise have had to pay for stamps.

Mr. *Grenfell*, in reply, stated, that his calculation of the composition which the Bank of England would pay, if the average of the three last years were taken, was 90,000*l.*; that of the governor of the Bank 91,000*l.* The amount of Bank paper in circulation was 28 or 29 millions; of which 9 millions were in one-pound notes. Calculating the duty of *5d.* a pound on that sum of 9 millions, the amount would be 187,500*l.* Let that be divided by three (the number of years during which Bank notes were allowed to remain in circulation), and the result would be 62,500*l.* for stamps on one-pound notes only. In order to render the statement still more fair, he would take the amount which he calculated the composition, if on the average of three years, would produce, at 100,000*l.* It then appeared, that there would remain about 38,000*l.* as the compensation for all Bank-of-England notes above one pound in value. In the year 1799, the compensation fixed for the whole of the Bank-notes above five pounds in value was 20,000*l.* Since that period the Stamp-duties had been increased. In 1804 the Stamp-duty on notes of five pounds in value and upwards had been increased 50 per cent. Consequently, the 20,000*l.* would by that increase be made 30,000*l.* In 1808 a further increase of the Stamp-duties took place of 33 per cent. That would carry the original sum to 40,000*l.* But that was more than he wanted to establish his argument; as, in addition to the 62,500*l.* for notes of one pound in value, it would make above 102,000*l.* It was evident, therefore, that 20,000*l.* in 1799 must have been a sum larger in proportion than the sum of 99,000*l.* or 100,000*l.* which he contended the Bank ought to pay for its existing circulation.

Mr. *Manning* thought that upon the present occasion the Chancellor of the Exchequer had done his duty; he had made an advantageous bargain for the public.

Mr. *Tierney* said, all that his hon. friend wished was, that the Bank of England should pay at the same rate with private bankers. It was of the utmost importance to fix the principle, that in all future bargains with the Bank, they should ascertain the amount of their circulation.

The *Chancellor of the Exchequer* defended the transaction with the Bank.

Mr. *A. Baring* said, that if the matter were rightly inquired into, it would be found that compensation was rather due to the Bank.

Mr. *Thornton* defended the conduct of the Bank.

Mr. *Grenfell* said, that up to 1800 the Bank did pay a full and fair composition, and he could see no reason why this system should have been deviated from.

Mr. *Preston* complained of the severity of the Stamp-duty *ad valorem* on annuities. No person could borrow money at the legal rate of interest, when Government were competitors at a larger rate. Persons possessed of estates of 20,000*l.* or 30,000*l.* a year, were obliged to go to the annuity market. Why should they be obliged to pay for their necessities? The probate duty was also very unequal and oppressive.

The *Chancellor of the Exchequer* said, the observations of the hon. gentleman respecting annuities were deserving of consideration.

Mr. *Forbes* made some obversations on the licences paid by the Scotch Banking Companies.

The Report was then agreed to.

MOTION RESPECTING THE PROFITS OF THE BANK OF ENGLAND.] The order of the day for the further consideration of the question relative to the public balances in the hands of the Bank having been read,

The *Chancellor of the Exchequer* suggested the expediency of deferring any further debate for the present. As the resolutions on both sides would be printed, and no new enactment was intended during the present session, it appeared more advisable to resume the discussion when there should be a fuller attendance, and the subject should have undergone the requisite previous consideration.

Mr. *Grenfell* readily acquiesced in the right hon. gentleman's suggestion. He had only wished to lay a foundation during the present session for some future legislative proceeding, and he was happy to reflect that so much valuable information had already been laid before the House.

Mr. *Mellish* was adverse to the postponement of the discussion.

Mr. *Grenfell* had no desire to shrink from immediate discussion. None of the delay that had taken place was attributable to him; and he was satisfied that the only result of discussion, come when it would, would be to secure a great saving of public money.

The *Chancellor of the Exchequer* moved, that the further consideration be deferred till Monday next.

Mr. *Manning* protested against leaving an impression on the public mind unfavourable to the Bank, arising out of so grave a charge as that preferred by the hon. member. Any gentleman by an easy calculation might see that the allowance to the Bank for the management of public business did not exceed 8*d.* in the 100*l.* Nothing could be further from the fact than that any collusion existed between the Executive Government and the Bank.

Mr. *Tierney* was glad to find something at last extracted from the Bank directors. He lamented, however, that they should have taken so long a time to consider what they had to say. Ample time and various opportunities had occurred for entering into a general explanation, and the Resolutions themselves presented the means of conveying the sentiments of the Bank to the public, and in an authentic shape. Now, however, at the close of the session, the directors were full of anxiety for statement and discussion. He had heard of people whom it was difficult to get to sing, but once prevailed on, it was difficult to make them desist. He must for his own part protest against the doctrine, that because a settlement as to the composition between the public and the Bank was made eight years ago, Parliament ought not to interfere with, or to revive that settlement. There had been a greatly increased expenditure since that period, and a large accumulation of public balances in the hands of the Bank; and these were quite sufficient reasons, in his opinion, to call for the vigilance of the House of Commons.

Mr. *Grenfell* said, that if the Chancellor of the Exchequer would declare it to be his intention to make the composition with the Bank depend in some degree on the basis of their circulation, he should not wish to press his proposition: but when the Bank already made about 300,000*l.* a year on account of their management, and also 800,000*l.* a year on account of the increase of their issues, it appeared reasonable, that the public should have some farther participation in their profits. He proposed that the discussion should be resumed on Thursday next.

The *Chancellor of the Exchequer* thought there would be no use in fixing the discussion for Thursday, as there was no probability of any considerable attendance of members.

Mr. *Baring* thought that the great responsibility to which the Bank subjected itself, entitled it to the profits that it received.

Mr. *Hammersley* was afraid that these perpetual discussions with respect to the affairs of the Bank would disincline gentlemen of the respectability of those who were now Bank directors from accepting the office.

After some further consideration, the further discussion was adjourned to this day se'nnight.

PETITION OF MRS. PEARSON RESPECTING HER DISCOVERY FOR THE CURE OF SCROFULA, OR KING'S-EVIL.]—Sir *Gerard Noel,* in presenting the Petition of Mrs. Elizabeth Pearson, of Alfred-place, Bedford-square, respecting her discovery for the cure of Scrofula or King's-evil, said, that he took much blame to himself for not having earlier introduced to the attention of the House, a subject so interesting to humanity, as an effectual remedy for a complaint so general, so afflicting, and hitherto deemed so hopeless. He held in his hand documents which most fully confirmed the allegations of the Petition. He had by him testimonials of eminent individuals of the faculty, respecting the efficacy of Mrs. Pearson's discovery; and he had himself seen a number of such astonishing cures effected by that lady, as he would not have believed, had he not had ocular evidence of them. He should, at an early period next session, bring the subject more fully under the consideration of the House, but he should at present do no more than present the Petition.

The Petition was then read, and ordered to lie on the table. It sets forth, "That your petitioner having, upwards of 33 years back, been forcibly struck with the deplorable effects, and great and increasing prevalence of Scrofula or King's-evil, which had baffled the skill of the most eminent professors of physic, applied herself with unremitted assiduity to discover an efficacious remedy for that melancholy disease; and from long and laborious experiments of herbs and their medicinal powers, was happy enough to compound and prepare a poultice of vegetable, and an extract of vegetable juice, which she has fully proved, in an extensive practice of upwards of the last 20 years, completely to eradicate the said complaint, and restore to a healthy and vigorous state the constitution, where not entirely exhausted, or labouring under other disorders."

HOUSE OF LORDS.

Tuesday, July 4.

Earl *Grey* presented a Petition from Mr. Mallison, complaining that he had not been duly compensated for his invention for saving the lives of shipwrecked seamen, and that he had applied in vain to the Admiralty. The noble lord said that he could not speak to the merits of this invention, but that he felt it his duty to present the Petition; which was ordered to lie on the table.

The Marquis of *Lansdowne* stated, that he had two Petitions; one from the Surgeons and Medical Practitioners of Waterford, praying to be put upon the same footing as gentlemen of the same profession in this country; and the other from the practising Solicitors of the county of Ross, against the additional Stamp-duties. To the admission of the latter he was aware that a certain objection was urged, to the principle of which he could not by any means subscribe: but the former was of course unexceptionable, and he should consider it his duty to call the attention of the House to it on some future occasion. The noble lord added, that he should also feel it right to bring the principle which applied to the admissibility of the other petition distinctly under the consideration of the House.

The Petition from the Medical Practitioners was, after a few observations from the Lord Chancellor, and lords Limerick and Liverpool, ordered to lie on the table.

Earl *Stanhope* adverted to a Petition which he presented some time ago from a person who had been confined above three years on the ground of bankruptcy. This person had applied in vain to the Lord Chancellor to be heard personally, but the learned lord expressed doubts of his authority to have the petition brought up, in consequence of which he (lord Stanhope) had it in contemplation to bring in a Bill to have those doubts removed, with a view to have justice done to the petitioner, who denied the validity of the bankruptcy; but he was now glad to learn that the doubts alluded to were found to be unwarrantable, and therefore he did not feel it necessary to press the Bill.—The noble lord then gave notice of his intention to move to-morrow the second reading of the Vaccination Bill, with a view to have it rejected. This measure proposed to have half-a-crown given to every pauper who had a child vaccinated, while the matter used in vaccination was, according to the statement of its own advocates, of three different descriptions—the first good, the second indifferent, and the third good for nothing. Such a measure, he had no hesitation in pronouncing the most ridiculous ever introduced into that House.

IRISH SPIRITS DUTY BILL.] On the committal of the Irish Spirits Additional Duty Bill,

The Earl of *Donoughmore* animadverted upon this measure, which he conceived peculiarly grievous to those upon whom it was intended to operate. This Bill, which, from some omission or misunderstanding of its character, passed *sub silentio* in the Commons, proposed not only 6*d*. upon every gallon of spirits distilled, after the passing of the Act, but to impose that addition upon all the stock on hand, with such an addition also upon malt as would serve to produce an additional tax of 1½*d*. per gallon on spirits. But to subject the stock of spirits and malt on hand to the additional duty he thought extremely unjust, and the more so, as it was inconsistent with the English principle of taxation upon spirits, which in no instance, when any advance of duty took place, extended to the stock on hand. Such a measure, then, as the present obviously required further consideration; and when the consolidation of the two Treasuries should take place, which measure was expected, he hoped the result would be the extension of the English principle of taxation to Ireland, at least upon this subject.

The Earl of *Liverpool* observed, that it was a principle uniformly recognized in taxation, when the duty upon any article was advanced, to extend that advance to the stock on hand, because upon such advance the holder of such stock had the power (which he never failed to exercise) of charging that advance upon the consumer; and it was the obvious duty of the Legislature to provide that what the consumer paid in consequence of the increased tax should come into the pocket of the public. Such, for instance, was the case with regard to every augmentation of the tax upon wine. This principle was no doubt never acted upon with respect to spirits in England, because here the tax was not imposed as in Ireland upon the spirit itself, but upon the wash. As to the noble lord's concluding observation, he trusted that when the consolidation of the two Treasuries should take place, such a measure arranged with due caution would be found exceedingly advantageous to all parties, and that the Irish public would be peculiarly benefited by its operation. Care would, no doubt, be taken, in regulating the taxation, to pay due regard to local circumstances, and that the principle of the measure in contemplation should be equally fair towards England and Ireland.

The Earl of *Donoughmore* said, that the quantity of wash to make a certain quantity of spirits being duly ascertained, he could see no reason to justify the distinction maintained by the noble Secretary, between the taxation of English and Irish spirits. When, however, the great measure alluded to by the noble Secretary should be adopted, he trusted that this distinction would be done away, and the present would be the last deviation from the English principle of taxation which Ireland would be condemned to experience. The noble lord concluded with stating, that he would not divide the Committee upon the subject; but he hoped that his suggestions would be considered.

The Report was ordered to be received to-morrow.

HOUSE OF COMMONS.

Tuesday, July 4.

MOTION RESPECTING ORANGE SOCIETIES IN IRELAND.] Sir *Henry Parnell* rose, in pursuance of his notice, to move for an Address to the Prince Regent, praying that his Royal Highness would be pleased to institute a commission of inquiry into the nature and character of certain societies, called Orange Lodges, in Ireland. He was induced to make this motion in consequence of several Petitions for this inquiry having been put into his hands, by respectable bodies in the North of Ireland, who were extremely anxious for a consideration of this question last session; but he at that time preferred that the subject should be allowed to rest with his Majesty's Government, in the expectation of their interference to prevent any necessity of that kind. Nothing, however, had been done by ministers; and it was now full time that the matter should receive fair and ample discussion. The House was aware that the system of Orangeism in Ireland, comprehended nearly the whole of the Protestants in the northern counties; in those parts all the higher and middle classes were Protestant, and all the lower order were Catholics. The Orange Lodges were here divided into districts of five lodges each, appointing masters, and their several other officers. These were united together by an oath to defend King George the Third and his successors, as long as he or they maintained the Protestant ascendancy; their secretary was also sworn not to give a copy of their secret rules, except to a member. By this the House would see that the parties consisted of a set of men bound to the state by a sort of conditional allegiance to be construed by themselves, and also with a set of secret rules which were not to meet the light, except among their own body. In the present session no less than fourteen Petitions had been presented to Parliament by himself and his right hon. friend (sir John Newport) who was then absent, all of which ardently implored the attention of the Legislature against those associations. Those Petitions, amongst other allegations, contained the following—"That to the existence of Orange Lodges in Ireland, was mainly attributable the disturbance of the public peace, particularly by the celebration of processions with certain insignia, &c.—that besides the agitation which those necessarily produced, they begot a counter spirit among the people, that led to wide animosities, which, in their consequences, produced riots, murder, and other fatal acts, and also to the formation of fresh and equally illegal associations. They also paralised the administration of justice in the country, by prejudicing, and in some instances involving the integrity of the magistracy, and extending, even to the minds of jurors, a bias which was most injurious to the cause of justice—fatal instances of the operation of such feelings were practically known."

This, resumed the hon. baronet, is the general character of those associations. Formerly, doubts were entertained of the legality of such bodies; but those were now happily removed; for, in an objection taken to a juror at the trial of Dr. Sheridan, the Catholic delegate, which took place two years ago in Dublin, it was distinctly laid down by the learned Judge Day, who presided, that Orange Societies, bound together by secret oaths, were illegal. It was also the opinion of Judge Fletcher, one of the most upright and enlightened men on the bench, that those meetings were unquestionably illegal. That learned judge had expressed himself as follows:—"I have found that those Orange Lodges have produced the most mischievous effects in society; that they have induced magistrates to violate their duty; and I do not hesitate to affirm, that they ought to be suppressed, for there can be no doubt that all combinations of this kind are contrary to law."

These concurrent judicial opinions entitled him (sir H. Parnell) to say, that the Orange Societies were illegal; and he was therefore induced to call upon the House to institute a commission to inquire into the allegations of petitioners upon such a subject. It would not, he trusted, refuse an inquiry into the truth of the alleged grievances, which would bring the whole subject to issue. It was unnecessary for him to press upon their attention, that when, two years ago, an attempt had been made to introduce the Orange system into this country, Parliament interfered, and, in the course of the discussion which then took place, the member for Liverpool (Mr. Canning) declared, that it was unnecessary to press the question to a division, as a distinct declaration of the illegality of such meetings, made by his Majesty's ministers, would produce the desired effect. A noble lord (Castlereagh) said, upon that occasion, that he entirely admitted the opinion which prevailed as to the illegality of such institutions; and trusted that the good sense of the country would re-echo the feeling of Parliament, and prefer the empire of the law to the domination of clubs and factious associations. Such were the opinions expressed in that debate; but to show how inoperative they were in Ireland, he had to state, that within a few days after such sentiments were expressed in Parliament, a meeting of the Grand Orange Lodge took place in Dublin, which issued a sort of proclamation to its brethren, calling upon them virtually to resist this feeling, and to rally for the preservation of their existence. The hon. baronet stated, it would be unnecessary for him to trespass further upon the attention of the House. With reference to the subject before them, he trusted he had said enough to show that the law was quite clear on the point, and also that their own opinion was equally manifest. The right hon. gentleman opposite (Mr. Peel) would not, he hoped, give the motion any opposition; for he, of all men, from his official station, must be exposed to a variety of bickerings from the existence of this spirit in Ireland, which, of course, he must wish to suppress. The hon. baronet concluded by moving,

"That an humble Address be presented to his royal highness the Prince Regent, requesting that he will be graciously pleased to appoint a Commission to inquire into the proceedings of the Orange Societies in the north of Ireland."

Mr. *Peel* said, it would be unnecessary to detain the House long in showing that, even if the facts were true which the hon. baronet stated, no good could possibly arise from the agitation of the present subject. It was wholly inexpedient, and its introduction at this moment highly injurious. He gave full credit to the consistency of the hon. baronet, in thus bringing forward his motion; at all events, the charge of precipitation would be the last which he would adduce against him, for it seemed to be a part of his system to make this motion at so late a period of the session, as to enable him to make a speech, without, at the same time, incurring the risk of creating the injurious effect which the adoption of his motion was calculated to produce. This had been the practice of the hon. baronet during the last three years, for he allowed the House almost to terminate its sitting before he gave notice of his usual motion on this subject. But what good could arise from the adoption of his proposition? What effect could it produce? The House was, forsooth, to appoint an extraordinary commission, to inquire into what—why, into the truth of certain facts which were loosely alleged in a petition, and into the truth or incorrectness of the opinions of a learned judge. If this commission were instituted, it would only operate to the exasperation of irritations which were already too much to be lamented. In that case they would only have appointed commissioners to receive the exaggerated details of both parties, and to review judicial cases which had already received the formal decision of the law. The hon. baronet had, in fact, himself shown the absurdity of his motion; for he had, upon the authority of the two judges, declared, that the law was quite clear on the point, and that from a book which he conceived authority, those Societies were exposed to its penalties. If these points were so clearly established, it followed, of course, there was no necessity for the motion, as the existing powers were sufficient for the purposes of suppressing the evil. Besides, the Crown could only empower the committee to inquire, not to punish. On the principle of the measure, it was rather unfair for the hon. baronet to call upon the House to ascertain the truth of allegations which he himself should have probed before he founded upon them a motion of such a description. If his object was to attack the Irish Government for the exercise of any particular partiality, let him come forward with a distinct proposition to that effect, stating the instance in which mercy was shown to one party, or severity exercised towards another, without strong and adequate cause. If the hon. baronet adopted this course, he would be ready and willing to meet him on it. As to saying that the Irish Government did not interfere in the prevention of public outrage, it was wholly unsupported by the fact; for they had, upon all occasions, conducted prosecutions at the public expense for the complainants, without any distinction. If the hon. baronet had any specific charge, let him produce it; but even if his present statements were true, he would contend that the motion was altogether unnecessary.

Mr. *M. Fitzgerald* (knight of Kerry) expressed his cordial assent to the reasonable and natural proposition of his hon. friend. He denied that any charge of tardiness could fairly be brought against him, and also that his object was to call on the House to appoint a commission: it was no such thing, it was for the Crown, not for them, to institute the inquiry. To call for the consent of the House to the motion, it was only necessary for them to refer to the numerous petitions which had been presented on this subject; they would then see that the prevalence of the Orange system in Ireland impeded the general administration of justice, and disturbed the peace of the community in Ireland. It was also essential for them to know, that those petitions were not the *ex-parte* statements of Catholics, but the allegations of Presbyterians and Quakers—sects not very favourable to Catholics,—in the northern countries. The prayer of such petitioners formed a serious ground for inquiry, and one which did not deserve to be treated with the levity of the right hon. gentleman opposite. For his own part, he firmly believed that, whilst no inquiry was allowed, the laws could not be impartially administered in Ireland. One society would be found to engender another, until the whole community would be split into factions, which would wholly outstep any effort to administer the laws in the manner they ought to be. Upon this point he spoke from his own personal experience; for he had known instances when it was mercy to appeal to martial law, sooner than consign the individual to trial before an ordinary jury—so completely had the parties in society arrived at hostile contact with each other. If the House meant that Ireland should be in any other state than perpetual anarchy, they must alter the system pursued towards that country—they must follow the course adopted by former Administrations; such, for instance, as was pursued by the marquis Cornwallis, lord Hardwicke, and the duke of Bedford: at those periods the laws were more impartially administered than at previous and subsequent ones; not that he meant to attribute, either to the duke of Richmond or lord Whitworth, any wish to depart from the fairest and most liberal course, but he could not disguise his opinion—that the laws were not as generally exercised towards all parties in the community as they ought to be, owing to a sort of implied encouragement which was attributed to certain quarters, relative to the Orange system. He had once been connected with an Administration in Ireland which adopted a different policy. "You, yourself, Sir,"—(particularly addressing the Speaker)—"whatever may be your general opinion upon religious liberty, when connected with the Irish Government, refused to countenance associations of this character, or to encourage a sort of religious partisanship which would, in its consequences, have cut up the whole system of the administration of justice by Juries." The right hon. gentleman then pressed upon the attention of those whose station in the Irish Government rendered them more interested in the oblivion of party feeling, than any other persons in society, to use their interposition in procuring that inquiry which would put an end to those divisions which so unhappily existed in that country. He also repeated the testimony which was invariably borne by the Judges, to the impartial and enlightened decision of Juries in the county where he resided; and this was solely attributable to the exclusion of all civil differences in the formation of those Juries.

Mr. *Vesey Fitzgerald* said, that, in opposing the present motion, he would exercise the same candid feeling that had always, he trusted, marked his conduct in public life. While he gave credit to the temperate manner in which his hon. friend opposite had introduced this motion, he could not but lament that the same spirit had not actuated his right hon. friend who had spoken last, and who seemed, by his argument, to adapt a former state of civil convulsion in Ireland to the present, which was wholly dissimilar. It had been said, with truth, by his right hon. friend (Mr. Peel), that no necessity existed for this motion, because loose and general allegations in a petition were not sufficient authority to influence that House in the appointment of such a commission, particularly as no distinct charge was adduced against those who were in the administration of justice. As to the charge of partisanship, so indiscreetly hinted at in the government of the duke of Richmond, or that of his successor, he felt no hesitation in saying, that there never existed a government in Ireland so free from such an imputation as that of either of those Viceroys, against whose governmsnt the observation had been applied. The right hon. gentleman who spoke last, had expressed his surprise that those associations were not extinguished in Ireland by the present Administration. Now, he would ask, why this suppression did not take place in the former governments, to which allusion was made? In some of those a rigour beyond the law had been exercised, and he believed necessarily exercised, and yet those societies had not been extinguished. He disclaimed on the part of his right hon. friend (Mr. Peel) any levity towards a question of this kind; at the same time he was unwilling to admit that the cause of justice had been impeded by the circumstances which were stated. There were no grounds for the formation of a commission; and the revival of such topics were, in his opinion, calculated to create more mischief than could be effected even by the operation of those evils which the motion was intended to remove.

Colonel *Archdall* said, that there were other societies more obnoxious to the public peace than the Orangemen, such as Ribbonmen and others; and why had not the hon. baronet included them in his motion? He thought such a question calculated to keep alive the animosities which the hon. baronet condemned; and he trusted that the House would not countenance any such attack upon a body of loyal individuals, as the Orangemen had proved themselves to be.

Sir *H. Parnell* said, that the observations of the hon. member who had last spoken, showed the necessity of his motion; for it appeared that one party was armed against another, and that Government had not thought proper to interpose. But the hon. gentleman was historically incorrect, if he meant to state that the Orange system arose out of the Ribbonmen. On a reference to the state of Ireland for the last twenty years, it would be found, that Orange Lodges were long antecedent to the existence of Ribbonmen; that the latter, in fact, had grown out of the oppression of the former, and were created as a sort of defence (unquestionably illegal) against their lawless violence. The hon. baronet then defended himself from the imputation of unnecessary delay in the introduction of this question; his only reason for postponing it was an expectation, which, he lamented to find, had not been realised, that an opportunity would have been taken, by those who could have done it with effect, of rendering his present proposition unnecessary. He disclaimed intending any political recrimination in bringing forward the present motion—his only object being to prevent the recurrence of those monstrous outrages which were daily passing in several parts of Ireland. He denied that he had given an exaggerated statement relative to the influence of party prejudice upon the minds of jurors in Ireland—several cases were known, in which verdicts had been given against the direct feeling of the Judge: in proof of this, he need only refer to the observation made, upon one of those occasions, by the acting Judge, solicitor-general Bushe, who, when he received a verdict of this kind on the trial of some persons charged with having committed murder, in a riot in the county of Down, observed—"Gentlemen, this is your verdict—thank God it is not mine!" From these circumstances, it was evident, that the violations of law, to which he alluded, had sprung from the countenance given to Orange Societies, and that they were the real origin of other equally lamentable factions in the community.

Sir *George Hill* contended, that in the province of Ulster, justice was as fairly administered as it was in any county in England. It appeared rather strange, that those petitioners should complain of their being inadmissible to societies, which they themselves pronounced to be illegal. For his own part, he never was an Orangeman, nor an encourager of their system; but he knew, that in obedience to the feeling of Parliament, those institutions had been circumscribed, and deprived, in some degree, of their badges. The fact, however, was, that the Protestants of the North of Ireland, were the parties who ought really to complain. No later than last week, a declaration, explanatory of the extent of organization among Ribbonmen, was signed by 1200 persons at Londonderry, who complained of the systematic scenes of riot and murder which were practised among mountaineer Catholics in that district, and exclusively directed against Protestant inhabitants. The hon. baronet then referred to certain riots which had taken place in Derry, which had become the subject of legal investigation and punishment; and further added, that in delicacy to the feelings of temperate and respectable Catholics in that town, the yeomanry corps, who were in the habit of celebrating the anniversary of the siege of Derry, assembled without the badges which they had been accustomed, for nearly a century, to wear on this occasion. He concluded by bearing testimony to the impartiality of Protestant jurors, so far as he had an opportunity of knowing them.

The question being loudly called for, the House divided; when the numbers were—

For the Motion	20
Against it	89
Majority against it	—69

PAPERS RELATING TO ROMAN CATHOLICS—*Bull for the Restoration of the Jesuits—Memorial on the Tuscan Legislation in Ecclesiastical Matters.*] The Chancellor of the Exchequer presented, by command of the Prince Regent, the following Papers:

Bull of Pope Pius 7, for the Restoration of the Order of Jesuits.—(Translation.)

Pius, Bishop, Servant of the Servants of God (for the perpetual commemoration of the Deed).

It having pleased the Almighty God to confide to our humble person, notwithstanding the littleness of our deserts and abilities, the care of all the churches, We feel it our duty to employ all the aids in our power, and which the mercy of the Divine Providence has placed at our disposal, in order that we may be able, as far as the changes of times and places will allow, to relieve the spiritual wants of the Catholic world, without any distinction of people and nations.

Anxious to fulfil the duty of our Apostolic ministry, as soon as Francis Kareu (then living) and other secular Priests resident for many years in the vast empire of Russia, and once members of the Company of Jesus, suppressed by Clement the 14th, of happy memory, had implored our permission to unite in a body for the purposes of being able to apply themselves more easily, and in conformity with their institution, to the instruction of youth in religion and good morals, to devote themselves to preaching, to confession, and the administration of the other sacraments: We felt it our duty more willingly to comply with their prayer, inasmuch as the then reigning Emperor, Paul 1, had warmly recommended the said Priests in his gracious dispatch, dated the 11th of August, 1800, in which, after setting forth his special regard for them, he declared to us, that it would be agreeable to him, to see the Company of Jesus established in his empire, under our authority.—And we on our side, considering attentively the great advantages which those vast regions might thence derive; considering likewise how useful those Ecclesiastics, whose morals and doctrine were equally tried, would be to the Catholic religion; thought fit to second the wish of so great and beneficent a prince.

In consequence, by our Brief, dated the 7th of March, 1811, we granted to the said Francis Kareu and his colleagues residing in Russia, or who should repair thither from other countries, power to form themselves into a body or congregation of the Company of Jesus, and to unite in one or more houses, to be pointed out by their Superior, provided these houses be situated within the Russian empire. It pleased us on that occasion, likewise, to name and appoint the said Francis Kareu General of the Congregation; and we authorized them to re-assume and to follow the rule of St. Ignatius of Loyola, approved and confirmed by the constitutions of Paul 3, our predecessor of happy memory, in order that the companions, religiously united, might freely engage in the instruction of youth in religion and learning; in directing seminaries and colleges; and with the consent of the Ordinary, in confessing, preaching the word of God, and in administering the sacraments. By the same Brief, we received the congregation of the Company of Jesus under our immediate protection and dependence, reserving to ourselves and our successors, the prescription of every thing that might appear to us proper to consolidate, to defend it, and purge it from any abuses that might creep within it; and for this purpose, we expressly abrogated such other apostolical constitution, statutes, privileges, and indulgences, granted in contradiction to these concessions, especially the Apostolic Letters of Clement 14, our predecessor, which begin with the words 'Dominus ac Redemptor noster,' only in so far as they were contrary to our Brief, beginning 'Catholicæ,' and which was given only for the Russian empire.

We had not long ordained the above things for the Russian empire, when we thought proper to extend the same favour to the kingdom of the Two Sicilies, on the warm request of ~~our~~ dear son in Jesus Christ, Ferdinand king of that nation, who begged that the Company of Jesus might be re-established in his dominions and states, as it had been in Russia. This prayer he made from a conviction that in those deplorable times the Jesuits were instructors most capable of forming youth to Christian piety and the fear of God, which is the beginning of wisdom, and to instruct them in the sciences and belles-lettres. The duty of our paternal charge leading us to second the pious wishes of these illustrious monarchs, and having only in view the glory of God and the salvation of souls, we, by our Brief, beginning 'Per alias,' and dated the 30th of July 1804, extended to the kingdom of the Two Sicilies the same concessions which he had made for the Russian empire.

The Catholic world demands with unanimous voice the re-establishment of the Company of Jesus. We daily receive to this effect the most pressing petitions from our venerable brethren, the archbishops and bishops, and the most distinguished persons, especially since the abundant fruits which this Company has produced in the above countries have been generally known. The dispersion even of the stones of the Sanctuary in the recent calamities (which it is better now to deplore than to repeat); the annihilation of the discipline of the regular order (the glory and support of Religion, and the Catholic Church) to the restoration of which all our thoughts are at present directed; require that we should accede to a wish so just and general.

We should deem ourselves guilty of a great crime towards God, if, amidst the dangers of the Christian Republic, we neglected the aids which the special Providence of God has put at our disposal; and if, placed in the bark of Peter, tossed and assailed by continual storms, we refused to employ the vigorous and experienced rowers who volunteer their services, in order to break the waves of a sea which threatens every moment shipwreck and death. Decided by these motives, so numerous and powerful, we have resolved to do what we could have wished to have done at the commencement of our pontificate. After having by fervent prayers implored the Divine assistance, after having taken the advice and counsel of a great number of our venerable brothers the Cardinals of the Holy Roman Church; we have decreed, with full knowledge, in virtue of the plenitude of Apostolic power, and with perpetual validity, that all the concessions and powers granted by us solely to the Russian empire and the kingdom of the Two Sicilies, shall henceforward extend to all our Ecclesiastical States, and also to all other States. We therefore concede and grant to our well-beloved son Taddeo Barzozowski, at this time General of the Company of Jesus, and to the other members of that Company lawfully delegated by him, all suitable and necessary powers, in order that the said States may freely and lawfully receive all those who shall wish to be admitted into the regular Order of the Company of Jesus, who, under the authority of the General *ad interim*, shall be admitted and distributed, according to opportunity, in one or more houses, one or more colleges, and one or more provinces, where they shall conform their mode of life to the rules prescribed by St. Ignatius of Loyola, approved and confirmed by the constitutions of Paul 3. We declare besides, and grant power, that they may freely and lawfully apply themselves to the education of youth in the principles of the Catholic faith, to form them to good morals, and to direct colleges and seminaries; we authorize them to hear confessions, to preach the word of God, and to administer the sacraments, in the places of their residence, with the consent and approbation of the Ordinary. We take under our tutelage, under our immediate obedience and that of the Holy See, all the colleges, houses, provinces, and members of this Order, and all those who shall join it; always reserving to ourselves, and the Roman Pontiffs our successors, to prescribe and direct all that we may deem it our duty to prescribe and direct, to consolidate the said Company more and more, to render it stronger, and to purge it of abuses, should they ever creep in, which God avert. It now remains for us to exhort, with all our heart, and in the name of our Lord, all Superiors, Provincials, Rectors, Companions, and Pupils of this re-established Society, to show themselves, at all times, and in all places, faithful imitators of their Father; that they exactly observe the rules prescribed by their great Founder; and that they obey, with an always increasing zeal, the useful advices and salutary counsels which he has left to his children.

In fine, we recommend strongly in the Lord, the Company and all its members to our dear sons in Jesus Christ, the illustrious and noble Princes and Lords temporal, as well as to our venerable brothers the Archbishops and Bishops, and to all those who are placed in authority: we exhort, we conjure them, not only not to suffer that these religious persons be in any way molested, but to watch that they be treated with all due kindness and charity.

We ordain that the present letters be inviolably observed, according to their form and tenour, in all time coming; that they enjoy their full and entire effect; and that they shall never be submitted to the judgment or revision of any judge, with whatever power he may be invested —declaring null and void any regulation made to encroach on the present our pontifical declaration, either knowingly or from ignorance; and this, notwithstanding any apostolical constitutions and ordinances, especially the Brief of Clement 14, of happy memory, beginning with the words *Dominus ac Redemptor noster*, issued under the seal of the Fisherman on the 22d July 1773, which we expressly abrogate, as far as contrary to the present Order.

It is also our will, that the same credit be paid to Copies, whether in manuscript or printed, of our present Brief, as to the original itself, provided they have the signature of some notary public, and the seal of some ecclesiastical dignitary; that no one be permitted to infringe upon, or by any audacious temerity to oppose any part of this Ordinance: and should any one take upon himself to attempt it, let him know that he will thereby incur the indignation of Almighty God, and of the holy Apostles Peter and Paul.

Given at Rome, at Santa Maria Maggiore, on the 7th of August, (7° Idus Augusti,) in the year of our Lord 1814, and the 15th of our Pontificate.

(Signed,) A. CARDIN. PRO-DATARIUS.
R. CARDIN. BRASCHI HONESTI.
VISA
De Curia D. Testa.
(L. S.) Registered, F. LAVIZZARIUS.

A MEMORIAL of the Tuscan Legislation in Ecclesiastical Matters; presented to Lord Burghersh, February 23, 1815. (Translation.)

Ever since the time of the Florentine Republic, the Tuscan Government has been extremely watchful that no authority whatever, particularly that of the Court of Rome, should infringe on its sovereign rights. To this end no act or decision of Foreign Powers were allowed to be carried into execution within the Tuscan territory, without the previous permission or licence of the Lords (Signori); nor could any ecclesiastical living be taken possession of without a similar licence, it being held as an unquestionable maxim, that the nomination to all vacant Sees, should invariably fall on the individual selected by Government.

After the erection of Tuscany into a principality, Cosmo I. established a particular office of Jurisdiction, which name it bore, filled, in the first instance, by the celebrated Lelio Torelli;* and purposely intended for the preservation of the Prince's rights from any attempt that might be made upon them by Foreign Powers.

This office of Jurisdiction existed until the period of the French invasion, and has since been re-established.

Various measures have been adopted at different periods by the Austrian Government, in order to retain in its own hands the Ecclesiastical Jurisdiction, and thus repair the injury caused by the considerable emission of money, which, under a thousand pretexts, found its way from Tuscany to the Pontifical Court.

The first of these measures was the law of Amortizzazione, now in force, by which the acquisitions of the Church were limited; and all persons or religious bodies, bound by ecclesiastical vows, were thereby declared as mainmort (manimorte) and incapable of acquiring property.

The next step was that of abolishing the jurisdiction of the Episcopal Courts in matters of pure justice, transferring it to the Civil Tribunals; the former retaining simply the power of taking cognizance of spiritual affairs, and of matters of conscience. As to what regards the pretended immunity of the Ecclesiastics, the Bishops were directed to transfer their authority over them, once for all, to the respective Courts at Civil Law; so that every Ecclesiastic, in common with all other citizens, has been equally subject to the measures of justice and police, exerted by the Secular Magistrates.

The tribunal of the Inquisition was suppressed, as incoherent with the benignity of the Church, and as inefficient.

The regulations of the Apostolic Chancery, with all the consequences thereof, established for the purpose of drawing to Rome the revenue of the greater number of livings, were wholly abolished, and the faculty of disposing of them, at whatever time, and in whatever manner the vacancy might occur, was restored to the Bishop. The same measure, however, could not be applied to the consistorial livings, and they were consequently suppressed, and their funds destined for the relief of the parishes most in need of it.

In regard to the Episcopal Tables*, or Revenues, it has always been insisted upon as a right, that the Pope's nomination to them, should fall on the first named in the list of three individuals proposed by the Prince to the Holy Father, for that effect.

The capitals and income of the Lay Companies, and of several religious Orders, which had been suppressed, were likewise applied to the same end, of relieving the parishes which stood most in want.

A maturer age, than had been determined by the council of Trent, was fixed upon as the period for making religious vows; and all kind of influence over the Convents in Tuscany was taken away from the superiors and generals of the same Orders, belonging to foreign nations.

The Bishops were directed to present a list of, and to solicit the Prince's approbation for the individuals who intended to take Orders; nor were any of the Bishops allowed to print and publish any pastoral oration, or circular letter, without the previous revision and permission of Government.

It was moreover insisted upon, that briefs and dispensations coming from Rome, should immediately be furnished with the *Regium exequatur*; and the subjects were further enjoined, not to ask for any more such dispensations or briefs, without previous permission.

As to the right of Regalia belonging to the Sovereign over vacant livings, a provision was made by instituting a royal board of Economy, under the care of which, all such livings were placed; with a full declaration, that the arrear should not be considered as due to the newly appointed rector, except in such cases where the Government had not otherwise disposed of them. This measure was extended to the Episcopal revenues, upon which the Pope was, by a Concordat, forbad to impose any pension, except on the two richest, namely, those of Pisa and Arezzo; and even in respect to these two, the pensioners were to be named by the Prince.

These laws, adopted and held in force

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* A celebrated Florentine Jurisconsult and Statesman, who flourished in the beginning of the 16th century. He published a revised edition of the Pandects.

* Mensa Veseovile, means the maintenance, properly speaking, of the Bishop—his Family and Chapter—*alias* his Revenue.

by the Austrian Government, suffered some alteration under the administration of the Bourbons; but never did a complete subversion take place of that ancient system of juridical legislation, which is again called into action at this moment, as far as the circumstances of the times, and the confusion of things, from past events, will permit so to do.

23d February 1815.

Delivered to me as the Regulations of the Tuscan Government, by order of the Secretary of State charged with the Foreign affairs, Monsieur Fossombroni.

(Signed) BURGHERSH.

15 March 1815.

VOTE OF THANKS TO THE DUKE OF YORK.] Sir *J. Majoribanks*, in pursuance of the notice he had given, rose to propose a Vote of Thanks to the Duke of York for his conduct as Commander-in-chief. He said that he could assure the House he was not actuated by any undue motives of private or party feeling, as he trusted those who knew him would be ready to vouch. He had not even the honour of being known to his Royal Highness; and his sole reason for coming forward on this occasion was his hope, that the House might be induced to express their sense of the high services rendered by his Royal Highness to the country, during the long period in which he had had the chief command of the army. His Royal Highness's conduct both in the dispensation of promotions, and in all the complicated military arrangements which his station had imposed upon him, had evinced an activity and a discrimination which redounded to his honour. The illustrious Chief by whom the recent glorious victory had been obtained, had, on the occasion of his appearance at the bar of that House to acknowledge their congratulations on his return from the Peninsula, observed, that to the bravery of his troops, and to the high state of equipment in which they were maintained by the excellent regulations of his royal highness the Commander-in-chief, he was indebted for the power of achieving those exploits which had acquired for him the approbation of Parliament. The value of those regulations was still more unequivocally evinced on the late memorable occasion. By the ample means afforded them, in addition to their native courage, the British army had been enabled to resist for hours the repeated and impetuous shocks of the enemy. Like the stubborn oak, which, with its roots deeply fixed in the earth, withstood the fiercest blasts of the storm, our gallant troops had borne without dismay the hottest assaults of the French army, until at length the moment arrived when in their turn they became the assailants, and carried destruction into the ranks of the foe. Late as was the period of the session, he trusted that the House would not hesitate to express their approbation of the high and meritorious services rendered to the country by the duke of York; and all that he regretted was, that the motion had not been made by the right hon. gentleman opposite, in the pretty and modest manner in which he usually brought forward similar propositions—[A laugh]. Let the question, however, originate with whom it might, the nation was under the deepest obligations to his Royal Highness, and he earnestly hoped that Parliament would assist in discharging the debt. Leaving it to their own sense of justice, he would not trouble them any further than by moving,

"That the Thanks of this House be given to Field-marshal his royal highness the Duke of York, Commander-in-chief of his Majesty's forces, for his continued, effectual, and unremitting exertions in the discharge of the duties of his high situation, during a period of upwards of twenty years, in which the British army has attained a state of discipline and military science hitherto unknown, and which, under Providence, have contributed, in a great degree, to acquire for this empire its present height of military glory among the nations of Europe."

The *Chancellor of the Exchequer* was far from opposing the motion, although he certainly was of opinion, that it would have been brought forward with more propriety at the close of the services in which our army was engaged. In no instance had any proposition of this nature been made at a previous period. At the same time, he was sure that the House would do justice to the motives by which the hon. baronet was actuated, and to the feelings which he had expressed on the present occasion,—feelings excited by the recollection of the glorious exploits of our brave troops, who, by the active exertions of his royal highness the Commander-in-chief, were put in possession of those means which had been wielded with so much success by them and their illustrious commander. In adverting to this subject, he could not refrain from observing, that it was a peculiar and gratifying fact that the whole extent of the services rendered by the duke of Wellington and the British army was known to us not by the modest recital of his Grace himself, but by the narrative of our Allies and by the confessions of the enemy. Those who compared these various documents would feel, that among the eminent qualities of our great commander, the modest simplicity with which he related his own exploits was by no means the least. It was, however, perfectly true, as had been said by the hon. baronet, that the exertions of our gallant troops could not have been successful, had they not been in a state of unrivalled organization. This was the case with every branch of the service. Whether the House considered the unshaken firmness and intrepidity with which the infantry sustained the shock of the enemy, or the vehemence and force with which the cavalry charged the hostile ranks, they must feel that much was attributable to the military equipment and arrangements, which it had been his Royal Highness's sole object, for many years, to approximate as nearly to perfection as possible. He had not particularised the merits of the artillery—not because he was insensible of their extent and importance, but because that was a branch of service not immediately under the superintendence of the illustrious personage who was the object of the hon. baronet's motion.

General *Fergusson* said, he had had an opportunity of witnessing the rapid growth and progress of the army, since it had been placed under the command of his royal highness the duke of York; and he considered it as a duty he owed to the House and the country, to state that it was his firm belief that the advantageous state of the army, under his Royal Highness, was derived in a great measure from him. He was happy in having this opportunity of paying his tribute to the merits of the Commander-in-chief.

Mr. *Western* said, it was with considerable reluctance he rose to make any objection to a motion like the present, but he thought he was bound to do so, and it was on constitutional grounds alone that he made his opposition. He trusted the House would do him the justice to believe that he was actuated by no wish to detract from the merits of the illustrious person at the head of the army. So far from this, he was ready to allow, to the fullest extent, the services of the Royal Duke. He was not competent to judge of those services with accuracy himself; but he was ready to take the concurrent testimony of those who were competent judges in their favour, and to abide by that decision. He gave, therefore, the fullest credit to the merits of his Royal Highness; but he could not distinguish the constitutional character of that officer from the personal character and rank of the Royal Duke; and he believed that if the office of Commander-in-chief had been filled by any other person than the Royal Duke, the present motion would not have been entertained by the House. He saw nothing to distinguish the office of Commander-in-chief from that of any other member of the administration—no difference, for instance, between it and that of Master-general of the Ordnance, the Secretary at War, or Lord Commissioner of the Admiralty. Did it ever enter into the contemplation of Parliament to return their thanks to any of the persons holding these several offices? He would challenge the House to produce a single precedent in point, with the exception of the vote of last session in favour of his Royal Highness. Such a vote as that now demanded would go to create an anomaly in the Constitution. How did the Constitution know of his Royal Highness as Commander-in-chief? How did it know that the Royal Duke would not be removed from his office to-morrow? They could not know him constitutionally. If the House should hereafter wish to vote an address for his removal from office, they might be impeded by this act of their own. At the close of the last war, when the thanks of the House were voted to the navy and army, and when scarcely forty members were present, it was without any previous notice, proposed by the member for Taunton (Mr. Baring), that when the House voted their thanks to the army, the duke of York ought to be included. He certainly considered this as unconstitutional. But if the thanks which were now moved for had been postponed to a similar period, to the close of a war, there would be the less objection to the measure. He considered the time and manner in which this motion had been brought forward, independently of other objections, as extremely unfortunate for the duke of York. It was unfortunate that no notice had been given of such a motion, till after another hon. gentleman had, some evenings ago, introduced into another discussion the character and services of the duke of York. It was more unfortunate still that the present motion should instantly follow the rejection of the grant to the duke of Cumberland, that it should appear to arise out of that rejection, and that it should be brought forward on so short a notice at so late a period of the session. It would appear as if the discussion of the grant to the duke of Cumberland had suggested the present motion. If the House must adopt a measure of this sort, let it be postponed to the termination of the war, and after a full and fair notice. If he should not be convinced by some stronger reasons than any which he had yet heard, he would give his vote against the motion.

Sir *J. Majoribanks* assured the House, that his motion was altogether unconnected with the question lately agitated, respecting another Royal duke.

Mr. *Wellesley Pole* said, that he should trespass for a short time upon the attention of the House. Agreeing perfectly as he did, with every sentiment that had fallen from his right hon. friend the Chancellor of the Exchequer, he should have little more to do than to express that concurrence: he was anxious, however, to bear testimony to the exertions of the illustrious person who was the subject of the present motion, and to endeavour to lay before the House the sense entertained of his services by a noble relation of his now in the command of the army abroad. It was, perhaps, rather unfortunate that the hon. member who had brought forward the motion had selected the present moment for that purpose. It certainly in his judgment would have been better to have postponed it till the great work which the duke of York's exertions had enabled our army so gloriously to commence, had been consummated: that, in his opinion, would have been the proper time for the House to have expressed their sense of the services of the illustrious Duke. He was, however, fully convinced that in bringing forward this motion the hon. mover had been actuated only by the most pure and honourable motives, and by sentiments truly British. The hon. gentleman who had just sat down (the member for Essex,) objected to this motion as being unconstitutional. He conceived it to be unconstitutional for the House of Commons to confer their thanks upon a prince of the blood, although his merit in a great and important office might have rendered the greatest services to the state. He thought that the rank of the duke of York should operate as a kind of bar to prevent the House of Commons from considering and acknowledging his services: and that Parliament could not, and ought not to do for a person so illustrious, that which it could, and would do for any private individual, who had rendered such eminent services to the country. These objections appeared to him to be utterly groundless. Whether the services were performed by a prince or by an individual of inferior rank, the competence of Parliament to confer the high reward of its thanks could not be questioned. Upon what grounds could such a vote of thanks be considered as unconstitutional? Here was a case of an individual, no matter what his rank, who was appointed to a high and most important office, which office he had, for a great number of years, executed in such a manner as to excite universal admiration; and it was now gravely argued, that Parliament should not thank that individual, because he was a prince of the blood;—this, it seemed, made it unconstitutional: but, according to the hon. gentleman, there was another reason for the vote proposed being unconstitutional. "If the House," said the hon. gentleman, "now thanked the duke of York, they might hereafter find it extremely difficult to censure him should his future conduct merit such a proceeding: they might wish to have him removed from his office, and this vote would stand in their way;" that is to say, Parliament ought not to reward the distinguished services which an individual might render to the state, because he might, at some future period of his life, do something which should induce Parliament to wish him removed. If that was a right principle to act upon, why had Parliament thanked and rewarded the duke of Wellington, or any other of those eminent individuals who had distinguished themselves in the public service? Could it be for a moment contended, that because Parliament had thanked that noble duke, that it had thereby given up the power of judging of his future conduct with the same jealousy as they would the conduct of any other public servant? God forbid! The thanks of that House were, indeed, a guarantee for the future good conduct of the individual who received them, because, sensible of their high value, he would be naturally anxious not to forfeit such an honourable distinction; but they were no guarantee to prevent the House from judging, and, if necessary, from censuring the conduct of any public servant, be it the duke of York, be it the duke of Wellington, or any individual, whatever his rank or whatever his services. To contend that the thanks of Parliament would fetter its future proceedings, would indeed be to advance an unconstitutional principle. But there was something extremely inconsistent in the argument of the hon. member upon this head: he first objected to the vote of thanks as unconstitutional, and afterwards expressed his wish that the motion had been put off till the conclusion of the war, or till the next session, when it might at least be discussed with a full attendance: but if it was unconstitutional to vote the thanks of the House to the duke of York now, it would be equally so at the end of the war, or at any other period; the time when the vote was proposed, could have nothing to do with the principle of it. If it were unconstitutional now, it must be equally so at all times: and the hon. gentleman would find it difficult, if he admitted the possibility of the propriety of the vote at any time, to argue its unconstitutionality at present. He had, indeed, listened with astonishment to every part of the hon. gentleman's speech. He was not less surprized at his objecting to the vote as being unconstitutional, than he was at his taking so cold and formal an objection to it, as the want of precedent: the hon. gentleman says, "I can find no precedent for such a vote! The services of the duke of York are undisputed—every man in the House, every man in the country acknowledges them; but before you express your thanks for those services look for a precedent, and if your musty old records do not furnish you with one, let your gratitude be buried in silence, and let the illustrious Duke go without his proudest reward—the Thanks of the House of Commons." One precedent, indeed, the hon. gentleman had at last discovered; but, by a most extraordinary species of reasoning, he had found out that it was not applicable. "It is true," says the hon. gentleman, "that the House of Commons were so deeply impressed with the eminent services of the duke of York, that it passed last year an unanimous vote of thanks to his Royal Highness:" a precedent directly in point, and created by the extraordinary merit of the very individual whose services we are called upon to acknowledge; yet this precedent must not be followed, though it met with the universal approbation of the country.

He trusted the House would excuse him if he expressed himself with some warmth upon this subject, but it was almost impossible to comment with perfect coolness upon such objections as those which had, upon this occasion, been submitted to the House—[Hear, hear!] His principal object in rising, however, was, not to reply to them, but to state what he knew to be a fact, that the noble Duke at the head of the army abroad could not have won the battle which had filled every breast with exultation, and which had produced such interesting results, if it had not been for the unremitting, the extraordinary, and the able exertions of the duke of York; indeed that illustrious personage had long been in the habit of giving up his whole time to his public duties; and upon the late occasion it was by very great assiduity he had been enabled to overcome great and serious difficulties which were to be encountered before he could form such an army as that which had obtained the late signal victory. For twenty years the army had been in a state of constant improvement; and he could assure the House, that the duke of Wellington looked with admiration and astonishment at the great and beneficial alterations which had been effected in the army, by the unremitted exertions of the duke of York; but, above all, by the strict impartiality with which he discharged the duties of his high office. His noble relation was, he knew, above all, astonished, considering the immense extent of the charge which was thrown on the duke of York, that so few grievances existed, and at the promptitude and impartiality with which they were conciliated and redressed whenever they were brought before his Royal Highness; there was no part of his conduct which the duke of Wellington more admired than the impartial administration of his high office, and to nothing did he so much attribute the perfection to which the army had attained. He had recently received a letter from the duke of Wellington, in which, after stating that he had never taken so much pains about a battle, and had never been so near being beaten; he expressed, in the strongest terms, his unbounded admiration at the conduct of the British army—infantry, cavalry, artillery —all performed wonders on that glorious day. Knowing, as he did, all these facts, he could not sit silent and hear such a motion attempted to be got rid of by a mere constitutional quack—[Hear, hear! on the Opposition side.] He wished that every man in the House, and in the country, should hear and know what the grounds were upon which this motion was opposed by the member for Essex. He observed, an hon. gentleman opposite to him (Mr. Bennet), who, from his manner and gesture, seemed to support the objection. He was, he confessed, astonished that any man could be found in that House, after the unexampled services which the army had rendered to their country, and to Europe, to object to a motion of thanks to the illustrious person who had brought it to its high state of perfection—upon what he must continue to call (without meaning any offence to the hon. gentleman) a constitutional quack; but he was still more surprised that any gentleman who had ever belonged to the army, who had ever borne arms in the service of his country, could appear to concur in such a mode of depriving the illustrious Duke of that reward which he had so richly merited, and to which he was certain the whole British army conceived him to be justly entitled—[Hear, hear!] Mr. Pole concluded with giving his decided support to the motion.

Mr. *Baring* justified the part which he had taken last session, when the name of the duke of York had been wholly omitted in the proposed vote of thanks to the army. He thought the right hon. gentleman who spoke last would have acted much more wisely in considering coolly the arguments which had been most modestly stated by his hon. friend, who had not uttered a single syllable against the conduct or character of the Commander-in-chief, than in adopting a tone of warmth altogether uncalled for. His hon. friend had merely doubted whether the Commander-in-chief was not more a civil officer of the Government than the commander of the forces properly so called. He himself thought that there was a distinction between the Commander-in-chief and any officer under Government. He concurred with his hon. friend and the Chancellor of the Exchequer in thinking, that this was not a time for bringing forward a subject like the present; but whenever the vote was proposed, he felt it his duty to concur in it. At the same time, he did not think it very constitutional to call on the House to vote their thanks every six or nine months. He did not, however, see that the motion could with any propriety be withdrawn, as the motives might not generally be understood. He hoped the vote of thanks would be followed up with another motion, for an additional provision to his Royal Highness; and if any proposal of that nature should be made, he should also feel it his duty to give it his support. With respect to the services of the duke of York, most gentlemen were aware that they were of a description to take up a great portion of his time. Hardly any department of government had been more regularly attended to. He had, indeed, been informed that his Royal Highness was at his office more regularly than the chief of any department under Government, and that all the results had been produced by the most unremitted exertions. His Royal Highness had now been a great number of years in his office, without having received any addition to his provision. It stood the same now as it was twenty-five years ago. He suggested the propriety of relieving his income from some of the incumbrances contracted by him from the want of economy natural to youth, and to his high rank. No state of the finances ought ever to induce them to disregard claims which were entitled to their gratitude.

Mr. *Wilbraham Bootle* replied to the objections urged to the motion by the hon. member for Essex, and denied that it had originated in an invidious desire to raise the character of one Royal Duke at the expense of that of another. In his mind the present question had no connexion with any former subject of discussion. He could see no reason why the House should be bound by precedent when votes of approbation were necessary. It had been asked, why motions of approbation on the conduct of the Lords of the Admiralty and the Masters-general of the Ordnance were not proposed? To this he would answer, that they had not served for twenty years, as had his Royal Highness the Commander-in-chief of the forces.

Colonel *Wood* supported the motion, and, to prove that the Commander-in-chief was particularly entitled to the thanks of the House, begged to remind them what had been the situation of the army when the duke of York was first put at the head of it. At that period a practice had obtained of buying commissions, and of running up persons in the service, who had interest so rapidly, that it was not uncommon for the person named in one Gazette as an ensign, to appear in another, a few days after, as a lieutenant-colonel. In this manner mere boys frequently got placed in the command of regiments. The duke of York put an end to this system; he instituted gradations of service, by which it was necessary that every officer, whatever his connections might be, should go through a certain course of service, before he could be promoted; and this salutary regulation had never, in one solitary instance, been broken in upon. He noticed various improvements, of which the duke of York had been the author, and spoke particularly in praise of the present system of tactics which he had introduced. These, which twenty years ago were unknown in the British service, were so simple, yet so applicable to every purpose of movement, that now British troops meeting from remote parts of the globe, could at once unite and act together. This was seen in the late battle. Our infantry (though it was not a picked army), though exposed to a most murderous fire of artillery, whenever they were approached by cavalry, instantly threw themselves into squares, and uniformly beat off the enemy. The confidence of the duke of Wellington in them was such, that when he saw the French cavalry advance, he instantly threw himself into the centre of that battalion which was nearest to him, and remained there till the charge was over. The English foot then fell back about 800 yards, just out of range of the enemy's muskets. The French infantry, on seeing this, advanced, and then the English deployed, charged with the bayonet, and drove them back. This statement of their movements must prove the present system of tactics the best in the world. The duke of Wellington had said, that the infantry was never for a moment shaken. He hoped the thanks of the House would be unanimously voted to the Commander-in-chief.

Mr. *Methuen* admitted the claim of the duke of York to the gratitude of the country, but could not think any increase of his income necessary. He had 18,000*l.* as his ducal income, 18,000*l.* more on his marriage, the 1st regiment of Guards, consisting of three battalions, and the bishopric of Osnaburgh. He considered his Royal Highness to be amply provided for. If it could be proved otherwise, he should be open to conviction.

Mr. *Whitbread* thought the House should not be called on to thank the Commander-in-chief of the forces, any more than the head of any other department, which had equally contributed to the efficiency of the gallant army that achieved the triumph of Waterloo. He was sorry for the tone assumed some by gentlemen, who seemed to regard any hesitation to concur in the motion as little less than an act of ingratitude. He sincerely regretted, that the brother of the duke of Wellington had thought fit to take so high and so loud a tone upon this subject, as if the House would be deficient in its duty if it did not concur in the motion before it; since it was unquestionably a subject that admitted a doubt, even if it could not be said that the proposition was not altogether improper. He agreed in the constitutional doctrines laid down by his hon. friend (Mr. Western); but still he thought that the subject having been brought forward, and the services of the illustrious Duke being generally admitted, it would not be a gracious act to refuse the motion. An hon. gentleman under the gallery had, on a former occasion, thrown out a hint, that a pecuniary remuneration should be granted to the illustrious Duke. The hon. gentleman evidently could have had no other object in view, because the question before the House, at the time he mentioned the services of the duke of York as worthy of reward, was a grant of money to a member of the Royal family. Before the House agreed, in the present moment, to such a proposition as that, they would do well to give it all the attention which it demanded. However, laying all this aside—laying aside different topics which had been mixed up with the present question—wishing the hon. gentleman had not now brought forward his motion—and thanking his hon. friend for the constitutional view he had taken of the subject—still, looking to the compliments which had been paid to the duke of York—compliments, the result, not of partiality, but of conviction—he conceived the House ought to agree to the resolution. When it was recollected, that, by the excellence of the system which had been matured by the duke of York, a number of troops were enabled to act together, who had never before been employed in a united operation, no person could deny his Royal Highness praise; and, admitting praise to be due, it would be rather extraordinary, when the question came before them, to say that, on account of any collateral circumstances, it ought to be withheld.

Lord *Barnard* was of opinion, that no man was more deserving of the thanks of that House, and of the country at large, than the duke of York. The duke of Wellington never could have gained so many glorious victories, but for the skill and discipline of the British army—that skill and discipline had been fostered by the duke of York; and therefore his Royal Highness was worthy of every honour that could be conferred on him by Parliament. The satisfaction given by his Royal Highness to the army was universal.

Mr. Serjeant *Best* said, from what he knew of the constitution of the country, he had no hesitation in declaring, that the present motion was perfectly parliamentary. Those who opposed it, on constitutional grounds, were not at all justified in their opposition. Some gentlemen expressed themselves hostile to the motion, for fear it should be drawn into precedent. He should be very happy, if many opportunities occurred, in which such a precedent could be fairly acted on. And if no precedent at present existed, no case, he conceived, could more properly call for the establishment of one, than that which they were now considering. It was observed by an hon. gentleman, that the duke of York was at the head of an inferior department, and that, if thanks were voted to him, the head of every other department might consider himself entitled to the same honour. He looked upon this as a very extraordinary observation, and one that carried no weight whatever with it. He could conceive no reason that should debar the House from voting thanks to the head of any civil department, whose conduct was so beneficial to the public as to demand that mark of approbation. He should certainly vote for the motion, although he was sorry it had not been postponed till the army had attained the great objects (the security of this country, and the liberation of Europe) which it was now occupied in effecting. He wished that the motion had been postponed until an Address of Thanks had been proposed to another illustrious Personage, on whose merits, but for the situation he had the honour of filling, he would expatiate at length—and to whom the country was no less indebted for its glory, than to him whose exertions were the subject of their consideration that night. If the duke of Wellington had conquered, who placed the power to conquer in his hands? The Prince Regent! If the duke of Wellington had triumphed, who called him to the situation in which his great abilities had shone with so much lustre? The Prince Regent! Let the House consider the posture of public affairs when the Prince Regent assumed the reins of government. The duke of Wellington was, at that time, cooped within the lines of Torres Vedras—and the only government then existing in Spain was shut up in Cadiz. It was then a question, whether the country should give up the contest, or continue the struggle to the last. In this conjuncture, the Prince Regent adopted the principles of those who wished us to proceed—instead of following the advice of individuals—(given, no doubt, with the utmost sincerity)—which, if pursued, would have placed the country in a situation very different from that in which it at present stood. The hon. and learned serjeant concluded by observing, that if some person of more weight and experience than he possessed, did not bring forward the question to which he had alluded, he would, at a future period, when this country had conquered peace a second time, submit a motion to the House on the subject.

Mr. Alderman *C. Smith* spoke in favour of the motion.

Mr. *Addington* thought, that after having expressed the gratitude of the House to our great Commander, nothing could be more just than to extend our national acknowledgments to the Royal Duke, to whom the heroic Wellington himself had stated he owed the means by which he had been able to achieve all his triumphs, and especially his last stupendous victory.

Mr. *Forbes* thought that it would be proper for ministers to propose a pecuniary grant to reward the services of the duke of York, as it was not in the power of the nation to confer any additional honours on his Royal Highness. He cordially concurred in the present Vote of Thanks.

Mr. *Hart Davis* spoke shortly in favour of the motion.

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Sir J. Majoribanks replied. The question was then put, and carried without a division.

Bread Assize Repeal Bill.] Mr. F. Lewis presented a Petition, signed by 800 Master Bakers, praying that the Bill now in progress through the House for the purpose of abolishing the assize of bread in London and its vicinity, might be passed into a law.

The Petition, after a few words from Alderman Atkins, was laid on the table.

Mr. Alderman Atkins presented a Petition from the Master and Wardens of the Bakers Company, against the Bill. The Petition complained that the measure had been introduced at so late a period of the session; and expressed the conviction of the petitioners, that it would be mischievous to them, and not at all beneficial to the public.

Mr. *F. Lewis* said, it at first sight must appear strange, that two parties, seemingly connected with the same trade, should express sentiments so very dissimilar. But the fact was, that scarcely a person whose name was signed to the last Petition was a baker. The petitioners, though calling themselves bakers, were chiefly mealmen and flour-factors.

Mr. Alderman *Atkins* supported the allegations contained in the Petition.

Mr. Alderman *C. Smith* observed, that last session he had introduced a Bill nearly similar to that now before the House, and he had every reason to believe that the bakers were perfectly satisfied with it.

Mr. *Rose* said, the Bill went merely to abolish the assize, and the principle had been long considered, both by the House and by the trade. No further delay was, therefore, necessary. It was, he cônceived, most desirable that the Bill should pass in the present session.

Mr. *Lockhart* could see no reason for refusing to try an experiment, under the regulations proposed in the Bill, for a year. If, at the expiration of that time, it was not found to answer, the bakers could come before the House, armed with facts, instead of arguments and assertions.

The Petition was laid on the table.

Mr. F. Lewis moved the Order of the Day for the further consideration of the report of the Bread Assize Repeal Bill.

Mr. Alderman *Atkins* asked the hon. gentleman whether it was his intention to press this Bill through the House during the present session?

Mr. *F. Lewis* said, he was so satisfied of the importance of this Bill, that it was his intention to press it through the House with as little delay as possible.

Mr. Alderman *Atkins* objected to any decision being come to on the Bill at so late an hour, and when there were so few members present. He should oppose the report being received.

Mr. *F. Lewis* would sooner abandon the whole measure than risk it by attempting to affix the assize. He had no objection, however, that the measure should be commenced from the 1st of August, instead of the present period; no material change in the price of grain could take place between that time and the next meeting of Parliament, when, if necesary, a new regulation could be enacted.

After a few words from Mr. Alderman C. Smith, and Mr. Alderman Atkins, the 1st of September was agreed upon for the operation of the Bill. Mr. Alderman Atkins then contended for the necessity of trying the experiment of enforcing the principle of the Assize. After a few words from Mr. D. Giddy, and Mr. Lockhart, the Bill was ordered to be read the third time to-morrow.

HOUSE OF LORDS.

Wednesday, July 5.

Vaccination Bill.] Earl *Stanhope* observed upon the Vaccination Bill, which he conceived peculiarly exceptionable, proposing as it did to levy half a million upon the means of the public, with a view to profit the inoculation of the Cow-pock. The noble earl animadverted upon the comparative merits of the inoculation for the Cow-pock and the Small-pox, stating, that of 1730 persons inoculated at the Small-pox hospital, at Pancras, only one died, and of 10,000 inoculated out of doors only ten died, while of those inoculated for the Cow-pock one of six died. Yet it was proposed to secure such extraordinary advantages to the latter as this Bill had in contemplation, although the very advocates of the Cow-pock admitted that the matter used in inoculation was often such that it could not afford any security against the Small-pox. The noble earl remarked upon the several expedients resorted to with a view to force this system of Vaccination. A noble lord (Boringdon) some time since proposed, that any house in which the small-pox appeared should be surrounded with flags to warn passengers, and that Bill was scouted; yet the present measure, which was equally ridiculous, was obtruded upon their lordships from the other House. He concluded with moving that the Bill should be read a second time, in order to follow up that with a motion that the Bill should be rejected.

The Bill was then read a second time, after which, on the motion of earl Stanhope, it was rejected.

LICENSED VICTUALLERS.] Earl *Grey* presented a Petition from the Licensed Victuallers against the additional tax imposed on them during the present session. He stated, that having withdrawn the Petition on a former night, to give time for a consideration of the point of form objected against it, he should present it now, in the hope that all obstacles to its reception were removed.

The *Lord Chancellor* said, he found, on looking into the subject, that in the year 1786, a committee was appointed to search for precedents, in a case of the same nature, where the prayer was directed against a Tax Bill, in its progress through parliament. The first of these was from the Lord Mayor and Common Council of London, respecting the tax on tobacco, which was received. The second was from the persons concerned in the trade, and was also received. But the Petition from the merchants, which related to another subject, and on which the investigation took place, was rejected. Such was the state of the authorities on the point.

Earl *Stanhope* said, that the precedents stated by the noble lord on the woolsack were conclusive in favour of the reception of the petition. As to whether they would hear evidence, it was quite another question; but if they were to decide against receiving petitions on the subject of Tax Bills in progress, how were they to know the merits of what they were enacting? He had himself presented a petition against a whole description of Taxes, some of which were then passing through Parliament; and as their lordships had such a precedent in favour of the rights of the people, he trusted they would not depart from it in the present instance.

The Petition was ordered to lie on the table.

PILLORY ABOLITION BILL.] The Earl of *Lauderdale* rose to move the committal of the Pillory Abolition Bill. He expressed his regret at being under the necessity of proposing this subject for their lordships consideration at so late a period of the session; but that was not his fault, and far less was it the fault of his learned and excellent friend (Mr. M. A. Taylor), who had originated this Bill in the other House. He had postponed it from time to time, in order, if possible, to have the advantage which, with respect to a subject of this nature, must result from the attendance of the noble and learned lord on the woolsack. He was aware that before proposing any material alteration in the criminal law of this country, he ought to have given a great deal of attention to the subject: but the criminal law in this particular point was so very different from every other part of it, that he had no hesitation in pressing this Bill upon their lordships attention, even with the limited examination which it had been in his power on the present occasion to apply to the subject matter of the question. The punishment of the pillory had been condemned by almost all those who had studied and written upon the philosophy of criminal law, almost by all the politicians who had attended to its nature and effects, and even by some of the judges who had to apply it. No principle in criminal law was better established than this, that the punishment ought to be commensurate to the offence. In this respect the punishment of the pillory was extremely objectionable. In one of the older statutes, it was put in the alternative, that a man should pay a fine of 20*s.* or be put in the pillory, so that the same punishment was to be inflicted on one who could not pay 20*s.* as on one who had attempted to commit an unnatural and abominable crime. Such a state of the law was a disgrace to the age and country in which it existed. Another remarkable feature in this punishment was its gross inequality and uncertainty. The punishment was not that which was consonant to the nature of the offence or to the intention of the Court which awarded it, but depended on the humour of the mob. The case of Dr. Shebbeare was a remarkable one. He had been sentenced to the pillory; but though this was intended as a disgrace, it turned out a sort of triumph. He was put upon, but not in the pillory; the sheriff held an umbrella over his head to shelter him from the rain or the sun; and a servant stood by to attend upon and hand him refreshment, while he was at the same time applauded by the spectators: so that the punishment, instead of being disgraceful to him, was an insult upon the law. Another case applicable to the point was that of Daniel Isaac Eaton. He had been put in the pillory for a very serious offence, that of endeavouring to throw contempt and ridicule on the fundamental principles of the Christian religion; and as an example to the prisoners, he presumed, he was pilloried opposite to Newgate gaol: but the crowd, probably from some mistake as to the nature of his offence, applauded him. In this case, too, the punishment was far more lenient than the judges intended. In other cases it was more severe; for instance, when the punishment of the pillory was inflicted for offences which had a tendency to exasperate the feelings of the populace, such as the attempting to commit an unnatural and horrible crime. Neither the law nor the judge intended that this crime, abominable as it was, should be punished with death, and yet such was frequently the result. The death, too, which such criminals sometimes met with was more severe than the punishment of death when inflicted in the ordinary way. He himself had witnessed an instance of this in 1780. A person was pilloried in Southwark for an unnatural crime, and the criminal was so treated by the mob that he actually died the moment he was taken from the machine. Judge Eyre, in a case where one had by perjury attempted to swear away another person's life, had refrained from inflicting the punishment of the pillory, on the very ground that the punishment might in reality be different from what the Court intended. It might be said, however, that it was too late in the session to go into the subject, because no other punishment was proposed by this Bill to be substituted in those cases where that of the pillory was to be abolished. But he saw no great inconvenience in abolishing the punishment of the pillory at present, and leaving the offences in which it had been usually inflicted to the punishment by fine and imprisonment, till some additional regulations should be framed in a subsequent session. He therefore submitted that the Bill ought to proceed even in this session, and moved that it be now committed.

Lord *Ellenborough* felt some pain in addressing their lordships on this subject, differing as he did, in some particulars, from the noble earl who had just sat down. As for himself, he certainly had no particular attachment to this method of punishment; but, for the sake of the public, he was bound openly and plainly to state his opinion to their lordships. He had lived in habits of friendship with the very worthy person who had introduced this Bill, and had no doubt it was introduced from the best and purest motives; but the Bill was certainly defective even in his own view of the subject; for if the punishment were to be abolished, it would be requisite at the same time to substitute some other punishment in its place. This the Bill had not done. He could not admit, however, that the punishment ought to be altogether abolished, because there were several offences to which it was more applicable than any other that could be found. With respect to the inequality and uncertainty of which the noble earl had spoken, the objection might be in some degree applied to all other punishments, unless the officers of the law entrusted with the execution did their duty. In the case of Dr. Shebbeare, the sheriffs had not done their duty. They had held an umbrella over his head, as stated by the noble earl, and he believed that a servant stood near, and supplied him with refreshments; and, indeed, the sheriffs had so far betrayed their trust, that he was not properly put into the pillory at all. But then the sheriff was afterwards punished by fine and imprisonment. Daniel Isaac Eaton, who had before been known as an offender, was pilloried opposite to Newgate for a vile and blasphemous attempt to ridicule the nativity of our Saviour, of which, as well as other fundamental doctrines of our religion, he spoke in a manner shocking to every pious and well-disposed mind. The reason, however, for ordering him to be pilloried opposite Newgate, was not exactly that stated by the noble earl. The Court thought that this was an offence which would excite the popular indignation, and they ordered him to be pilloried in that place, that in case life should be endangered, he might be hurried into Newgate and protected. It was true, that during his exposure some of the spectators were said to have applauded; but was it difficult in such a case to surround the pillory with persons of the same description, in order to alleviate the sense of his disgrace? Even if a person were so totally degraded as not to feel the disgrace of this exposure in his own person, the example would be salutary in its effect on others. Then, as to the punishment being more severe than was intended, the officer was empowered to see to the proper execution of the sentence, and arm himself with the whole force of the *posse comitatus* for that purpose, if necessary; but it was no good argument against the punishment, to say that it was not properly executed; if not, that was the fault of the officers who had the charge of the execution; and such officers might, by possibility, betray their trust with respect to other punishments as well as this. This punishment was as old as 1269. The old historians spoke of it, and of the care which was necessary in the officer to prevent its exceeding the just measure. The criminal was to be punished by disgrace and exposure, 'salvis tamen membris et vita.' The punishment was not confined to this country. Du Cange spoke of it as existing on the Continent, the offender being exposed *ludibrio omnium.* Considering that the punishment had existed so long, and that no regulation was made for the substitution of another punishment, he could not agree to the passing this Bill. He was adverse, at any rate, to this sweeping abolition, though he admitted, that in the instance mentioned by the noble earl, where it might be inflicted on a person because he was not able to pay 20*s*., and in some other instances, it might be abolished: but in cases of perjury and fraud, and in some others, the punishment was particularly suited to the offence, and ought to be preserved. The subject could not, however, be sufficiently considered this session. He himself had never inflicted the punishment when alone on the circuit, except in one instance, where he had ordered two persons to be put in the pillory, for having taken a bribe for assisting in the escape of French prisoners; an offence which the Legislature soon after made felony, punishable by transportation. In former times—he did not allude to times of peculiar severity, but even since the reign of George the First—the punishment had been inflicted in three cases for one in which it was now inflicted. It had been usual, too, to send the offenders round the courts with labels on their foreheads, specifying their offence, and then to pillory them two or three times. The practice was milder at present, from an attention to some peculiarities in the times, which judges applied in the exercise of a sound discretion. He moved, that the Bill be committed this day two months.

The *Lord Chancellor* was of opinion that there were offences with respect to which it would be unwise to abolish the punishment of the pillory; for instance, cases of perjury and fraud, or cheating, and especially in cases of mixed fraud and perjury. Cases might arise where persons might attempt to defend themselves against a conviction for fraud of which they had been guilty, by perjury or subornation of perjury. In such a case he himself would have concurred in the infliction of the punishment of the pillory, even where he might be disposed not to inflict it where the ingredient of perjury or subornation of perjury might be wanting. But the best mode of proceeding would be, to desire the Judges in another session to prepare a Bill on this subject, pointing out the cases where, according to their experience, the punishment of the pillory was proper, and the cases to which, though at present applicable, it was not suited. This plan had been pursued with regard to the Revenue laws, where those which inflicted the punishment of death were distinguished from those which did not.

The Earl of *Liverpool* highly approved of the suggestion of his noble and learned friend upon the woolsack, to refer the subject to the Judges, who could draw up a Bill, and state also their opinions as to the cases in which the punishment in question might be abolished, and the cases in which it could beneficially be retained. And then, though the House would not be bound by the opinion of the Judges, it would be the better able to decide as to the punishment itself, inasmuch as it might practically be rendered a severer, or a more lenient one than was intended. He thought it an objectionable one; but when he found it so long established by law, he was bound to consider the inconveniences that might result from its sudden abolition. There were some cases, perjury for instance, for which he thought the punishment the most proper of any yet suggested; and they should be cautious how they did away a necessary punishment for certain offences, until others equally proper or more adequate were found; and one of the most efficacious ways of proving this, he thought would be the expedient of referring the subject to the consideration of the learned Judges.

Earl *Stanhope* objected to the pillory, because it was a punishment so likely to be unequal in its operation: for instance, if the noble Secretary and himself were sentenced to the pillory for libels, especially on the discussion of the Corn Bill, his apprehension was that the noble Secretary would have been confoundedly pelted, while he (lord S.) would have escaped any ill treatment from the public.

The Marquis of *Douglas* expressed his surprise, as noble lords seemed generally agreed as to the principle of the Bill, that they should vary when they came to the application of that principle.

The Earl of *Lauderdale* said, that it was a great satisfaction to him to see the calm and dispassionate mode in which the subject had been discussed; and he was sure the amiable mind of his learned friend (Mr. M. A. Taylor) would be highly gratified to find that there was such a disposition to improve the criminal law in this particular at a future period, though it was not thought proper to pass this Bill in the present session. It would be in vain for him, therefore, to press it any further at present.

The Bill was then ordered to be committed that day two months.

HOUSE OF COMMONS.

Wednesday, July 5.

SLAVE IMPORTATION BILL.] Mr. Wilberforce brought up a Bill for more effectually preventing the unlawful importation of Slaves, and the holding free persons in Slavery in the British Colonies. On the question that the Bill be read a first time,

Mr. *Barham* said, he did not rise to oppose the Bill itself, because he believed it might be a good and useful Bill if it went upon proper principles; but he wished to call the attention of the House to some circumstances which compelled him to object to the Bill in its present shape and form. He believed it was intended to be the ground-work of another Bill, which would perhaps be the means of producing many benefits to the situation of the slaves in the West India islands; and to any Bill that in his opinion tended to the amelioration of the condition of the slaves themselves, no man in that House or out of it would be found to be more friendly; but he could not bring himself to vote for the present Bill, because it supposed a traffic of a very injurious kind, which he did not admit to exist. It supposed that a contraband trade in slaves was now carrying on by merchants and planters in the several islands, and it proceeded to enact penalties against such contraband trade. Now he contended that before such an enactment ought to be permitted to take place, some proof should be adduced that there was actually such a contraband trade carried on. He was persuaded that was not the case, and he thought neither the hon. member who brought forward this Bill, or any other person, could possibly prove, by even *primâ facie* evidence, that there was any such contraband trade in existence. He had another objection, which was that this Bill would be altogether nugatory and ineffectual. It was a matter of great difficulty, indeed, to prove the identity of negroes. This had been shown in various instances, and the hon. member and all those interested in the Bill would find it to be the fact. The fair and proper course to pursue would be to establish proof that any such practice really existed. This could only be done by inquiry, and to such an inquiry he would gladly afford every assistance in his power; but to make enactments of a penalty against a practice on vague and uncertain supposition, was neither fair nor just. The evils against which the Bill was pretended to be directed had no real existence; and if passed into a law, therefore, it could only be in the spirit of the advice given by Ovid to a lover with respect to the affectation of attention to his mistress; "Et si nullus erit pulvis, tamen excute nullum." While he was on his legs he would observe that it was his intention in the next session of parliament to revive the Bill which, having recently passed through that House, had been rejected elsewhere. In adverting to the coarse language of a passionate individual which had been used in another place towards himself as the framer of the Bill, the House, he was sure, would do him the justice to believe that he treated it with the contempt which it deserved. He could not, however, help lamenting the general apathy which had been manifested on that subject. The Deity of the African Institution appeared to have fallen asleep; or peradventure he was journeying. With respect to the Bill now introduced, he repeated that it was uncalled for, and that the imputations which in its very preamble were thrown on the colonies, were wholly without foundation.

Mr. *W. Smith* fully approved of the Bill which had just been introduced, convinced as he was, from all that he had heard, of its necessity. He had received information from the best authority, and those intimately acquainted with the West Indian seas, that from the nature of the currents which flowed round some of the islands, it was morally impossible to prevent the illicit importation of slaves, but by some such measure as that now brought in by his hon. friend. He was satisfied, when the hon. gentleman who had last spoken, came to consider the provisions of this Bill, that he would be more disposed to favour it than to throw impediments in its way.

Mr. *A. Browne* warmly vindicated the West India body from the aspersions of his hon. friend (Mr. Barham), and insisted that this impossibility of proceeding in any inquiry at the advanced period of the session, was their only motive for not pressing for the appointment of a committee to inquire into the general administration of the colonies; but he was persuaded, that the result of that inquiry would show that they were not deserving of that obloquy which had been thrown around them in a publication which had been lately given to the world.—With respect to the Bill before the House, he felt it his duty, in every stage of its discussion, to reprobate it, as a measure uncalled for upon any parliamentary ground, or by any evidence whatever of the existence of the evil which it was intended to prevent: a measure highly objectionable in principle, as assuming a questionable and hazardous interference in the internal conduct of the colonies, and in its oppressive details endangering the whole system of colonial policy, by which the security both of the properties and the lives of the white population was preserved. He admitted, that with the sense which Parliament had expressed of the nature of the African Slave-trade, they might naturally be anxious to prevent any evasion of the Abolition Bill, or any clandestine opportunities for the existence of the evil. But before they went on a pursuit of fresh penalties, or fresh enactments to prevent the evil, they ought to be satisfied, by the usual and established course of parliamentary proceeding, that the evil existed, and that the law as it stood was insufficient for the purpose, and that it was necessary to provide other enactments to perfect their object. Without this ground of proceeding, the House would set out on a crusade of legislation derogatory to the character of Parliament, and which, growing out of the ardent zeal and inflamed state of men's minds in the attainment of a favourite object, might lead to consequences highly injurious to other interests connected with that favourite object. In the present instance, the mode proposed for the prevention of the supposed evil by the establishment of a machinery of internal regulation, was one of a very unusual nature, and founded upon the assumption of a right to interfere in the internal conduct of the colonies, questionable in itself; but which, if it did belong to the Parliament of this country, all must agree, should only be exercised upon the strongest grounds of necessity. If the clandestine importation of slaves did exist in the colonies, which he denied, and of which there was not the slightest proof,—and if a registry of slaves be necessary to prevent that evil,—why is the Parliament of this country, even if they possessed the right of legislating for the colonies, called upon to pass such a law, until they found that the legislatures of the colonies would not of themselves do so? Would it not be wise to see whether the legislatures themselves will not co-operate with the mother country in rendering the abolition perfect, before Parliament resorted to the unusual course of forcing such a measure upon them? There is some reason to believe that this co-operation would be afforded. In Antigua there had been every disposition to promote the abolition, as the hon. gentleman had himself admitted; and that disposition might be felt in the other islands. Why then have recourse to this measure, unless more was aimed at than is avowed? Why could it be necessary, unless this was intended as the commencement of a series of legislation on the part of this country, which, if carried to the length, and directed to the object professed in a work lately given to the public, would put at imminent risk and destroy the whole system of colonial policy, by which the property, the peace, and happiness of individuals, and the security of life itself, are altogether maintained?—The melioration of the state and condition of slaves in the West Indies, was an object that might well enter into the feelings of men, and he would be glad to go every rational and convenient length in the attainment of that object; but he conjured the House, while they were employed in that gratifying work, not to overlook and disregard the interests and the security of individuals who were unfortunately possessed of that species of property. He conjured them, while they were endeavouring to benefit the blacks, not to sacrifice the whites. He would not enter at large into the topics to which he had alluded, as the Bill was agreed to be read the first time; but viewing the measure as one that had much of evil in itself, and much of evil in view, he should give it his decided opposition in all stages of its discussion.

Mr. *P. Moore* concurred in this opinion, and trusted the measure would receive no further countenance. At all events, it ought to be preceded by the appointment of a committee up stairs, for the purpose of ascertaining how far the Acts at present in force for the prevention of the Slave-trade were or were not operative. If they proceeded without this inquiry, they would be legislating in the dark, and interfering with those reforms which would, it was presumed, emanate from the legislative bodies in the colonies. The hon. gentleman then referred to the late case of Brodie, Dunbar, and another, to show that a variety of practices existed, which were much more open to reprehension, and much fitter for inquiry, than those to which allusion had been made.

Mr. *Gordon* thought such a measure as this was not fairly introduced, by being coupled with a tissue of general allegations against particular bodies. The hon. gentleman here took occasion to eulogise his hon. friend near him (Mr. Barham), whose management of his West India property was productive of infinite service. If the abuses proceeded from any improper act on the part of the local assemblies, then let the facts be proved, and let those assemblies be altogether abolished, and the government vested in the hands of the colonial governor; this would be the proper course to adopt. He concurred in the opinion, that no facts were made out to justify this motion, and thought the moment inopportune, at a time when the colonial governments were themselves employed in ameliorating the condition of their slaves. The inquiry which was the foundation of this Bill, seemed to have emanated from a long string of complaints, which had been in one sense unanimously transmitted to the African Association, and then formed into a sort of criminatory shape, for the purpose of bringing forward a measure of this kind.

Mr. *Wilberforce* said, that nothing could be a stronger proof of the necessity of some bill of the nature of the present, than the universal admission, not only of the planters, but of the historian of the West Indies, that all attempts to prevent the importation of slaves into the islands would prove vain. He had been accused of dealing in general charges against the people of the West Indies. When speaking against the system of the West Indies, he was always happy to bear testimony to exceptions to it; but he would contend, that the general system was, in the highest degree, vicious. Seriously and soberly standing in his place, he would say, that the general condition of slaves in the West Indies, was worse than that of any description of slaves in ancient times. It was admitted by the opponents of the present Bill, that evasion of the abolition laws was but too easy, and they might be said to be friendly to the object of it. He had heard enough of the West-Indian legislature, not to have any very sanguine expectations from that quarter. It was melancholy to reflect, that notwithstanding all the admonitions which they had received on the subject of mitigating the state of slavery, so little had been done by them, that the unhappy beings were liable to be torn away from their little domiciles, when they had at length, perhaps, forgot their native home, and found a second home in the West Indies, on account of their masters' debts—husbands torn from their wives, parents from their children, the most sacred ties of human nature dissolved. Not in one single island had a law to make slaves *astricti glebæ* been passed, notwithstanding the recommendations of the duke of Portland, the West-Indian committee, sir William Young, and many others. It was a complete misapplication of language to compare these legislatures to that of Great Britain. What sort of British constitution was it in which nine-tenths of the people were not even virtually represented? The evidence of a slave could not even be taken. With respect to the charges against the African Institution, brought forward by an hon. member (Mr. Marryatt) some time ago, they were altogether groundless. On inquiry into the subject of the letter stated to have been suppressed by them, he found that the African Institution, at the period alluded to, was not in existence—that was only one specimen. All the charges were entirely groundless. With respect to the sums stated to have been paid by Government in consequence of the interference of the African Institution with the slave ships of Portugal, and a similar claim set up by Spain on that account, the fact was, that they had never interfered with Spain, and the transaction with regard to Portugal was altogether mis-stated. It was acknowledged by an hon. friend of his (Mr. Barham), that there was no such thing as marriage among the West-India slaves. In Africa these people married—in St. Domingo, marriage was as prevalent as in any other community on earth. He believed that the Bill would be productive of the most extensive reform.

The Bill was then read a first time, and ordered to be read a second time, and printed.

BREAD ASSIZE REPEAL BILL.] Mr. F. Lewis moved the third reading of the Bread Assize Repeal Bill.

General *Thornton* wished the hon. mover of the Bill to consent to lower the penalty against the use of alum.

Mr. *F. Lewis* said, his object had been to incorporate, as nearly as possible, into his Bill, all the different provisions of the several Assize acts respecting false weight and adulteration. A person well informed on the subject had told him, that there was not one baker in London who did not make use of alum. In all cases this was a dangerous mixture—but to children, in particular, it was extremely prejudicial. The penalty could not exceed 20*l.*, but it was in the power of the magistrate to lower it.

After a few words from Mr. Alderman C. Smith and sir G. Noel, the Bill was read a third time, and passed.

HOUSE OF LORDS.

Thursday, July 6.

SURGEONS' REGULATION BILL.] Earl *Stanhope,* adverting to the Bill before the House to regulate the practice of Surgeons, observed upon its exceptionable tendency, and the clumsy manner in which it was drawn up. For instance, it contained a clause prohibiting male persons from practising as men-midwives, so that, observed the noble earl, women were not to be prevented from practising as men-midwives—[a laugh]. But this was not the only absurdity in this Bill, which was, in fact, altogether in such a state that it ought not to pass. This, however, was only one specimen of the crude bills, barrow-fulls of which were so often brought before the House, of late years, at the close of a session, in the sinister hope, no doubt, that they would be allowed to pass without observation.

The *Lord Chancellor* observed, that from the provisions of this Bill, which proposed a penalty of 30*l.* upon any one who practised as a surgeon without being admitted to the College of Surgeons, he very much feared that if it were passed in its present state, there were many parts of the country in which the people would be without any medical assistance whatever.

The Earl of *Liverpool* apprehended, from the construction of this Bill, that no private individual could administer any medical relief, or even draw teeth, or bleed in his own family, without being subject to the proposed penalty; therefore, he could not assent to the passing of the Bill in its present state; yet, from a consideration for the respectable body with whom it originated, he did not wish to propose its immediate rejection, but rather that it should be allowed to pass through a committee, and then let it stand over until the next session, in order to afford to its authors an opportunity of re-examining its provisions, and modifying its character.

The Bill was accordingly ordered to be committed.

STAMP-DUTY ON NEWSPAPERS.] Earl *Stanhope,* alluding to the Bill on the table proposing an additional Stamp-duty upon Advertisements inserted in the Newspapers, and upon Newspapers, animadverted strongly upon this measure; conceiving it calculated to reduce the revenue, to interfere with the interests of trade, and to impede the liberty of the press. Therefore the noble earl gave notice of his intention on these grounds to oppose its farther progress.

IRISH SPIRITS-DUTY BILL.] Their lordships having resolved into a committee on this Bill,

The Earl of *Donoughmore* forcibly impressed upon the consideration of their lordships the propriety of affording time to those peculiarly interested in the measure to examine its character, and to communicate their opinions upon the subject. If that time were afforded, he was assured that numerous petitions against this Bill would be presented to the House from various parts of Ireland, and from a class of persons whose respectability entitled them to the utmost attention. That such petitions had not been already presented—that no public complaint had been made against this extraordinary measure, was easily accounted for. The Bill passed through the other House *sub silentio*, either through some omission, or misunderstanding of its character, or rather, perhaps, because those Irish members who were most diligent in their attention, and active in their exertion to protect the interest of their country upon such subjects, had returned to Ireland before this Bill was brought forward. But from the peculiar hurry with which this Bill was pressed through the other House, one could not feel so much surprise that it had happened to escape any observation—for the fact was, that only six days elapsed from its original introduction to its final adoption by that House. Thus, those who were interested in Ireland were not allowed sufficient time to communicate with their representatives upon the subject; and this, the noble lord observed, was a notable way of legislating for Ireland; first, to postpone the introduction of a measure materially affecting the interest of that country until a late period of the session, when the most effective of the Irish representatives had returned to their country; and next, so to precipitate the progress of the measure that the Irish public should hardly be aware of its proposition until informed of its enactment. Such a course might serve to obviate parliamentary opposition, but he could not think that it would ever tend to conciliate public opinion. The measure under consideration would, he was persuaded, create a great deal of dissatisfaction in Ireland, for it proceeded to an extent of taxation never before contemplated. It proposed, not only to subject all spirits distilled after the passing of the Act to a duty of 6*d.* per gallon, but to impose that addition upon the stock on hand. Nay, it went further, for it would impose an additional duty of three-halfpence per gallon on the stock in hand of spirits, in consequence of the additional duty upon malt. But thus to subject the stock on hand of any article to an additional duty in consequence of a tax upon one of the ingredients of which it was composed, he had no hesitation in pronouncing extremely unjust. Such a proposition was not warranted by any precedent in Great Britain or Ireland. It would, indeed, serve to carry the system of taxing stock on hand much farther than had ever yet been heard of, under any rationally regulated government. Yet, by this extraordinary measure, a very considerable sum would be at once taken out of the pockets of those who had spirits on hand in Ireland. But what aggravated the grievance, was the application of a system to Ireland which was totally inconsistent with the English principle of taxation. For in this country no additional duty had ever been extended to the stock in hand of spirits. Why this distinction between the two countries? And how happened it that ever since the Union hardly a session passed over without some change in the law with respect to the Irish distillery, accompanied, too, in every instance except one, with an increase of duty, while the regulations with respect to the distillery of England were left undisturbed? Surely, then, the Irish concerned in this important branch of trade had reason to complain of such a system. But he hoped that when the expected consolidation of the two Treasuries should take place, the English principle of taxation would be extended to Ireland, at least upon this subject, and that the Irish would be more equitably dealt with than they had generally been heretofore.

The Earl of *Liverpool* expressed his entire concurrence with the noble earl, as to the respectability of the persons alluded to, and as to their title to the attention of that House, if they could make out a case against the Bill under consideration; but he could not agree with the noble earl as to the ground of his objections to this measure. The noble earl's main objection was, it appeared, to the proposed extension of the additional duty to the stock-in-hand spirits. But the extension of a new duty upon any article to the stock in hand, was a principle uniformly recognised in taxation, not only in Great Britain but in Ireland. There were, indeed, four precedents of the stock-in-hand spirits being taxed in Ireland, as appeared from the Acts of the 44th, 46th, 48th, and 52nd of the King, some of which Acts passed while the noble earl himself was at the head of the Revenue department in Ireland. Then the adoption of this principle could not be deemed any innovation with respect to the Irish distillery; and it was generally acted upon in this country: for instance, when any augmentation of the tax upon wine took place, such augmentation was extended to the stock on hand. It was, no doubt, true, that this principle was not acted upon with respect to spirits in England, for this plain reason, that here the tax was not imposed upon the spirits, but upon the wash. But the general principle itself rested upon grounds of obvious equity—for when the duty upon an article was advanced, the holder of any stock of that article had the power (which he generally exercised) of charging that advance to the consumer. Hence, upon any advance of duty, that duty was extended to the stock on hand, because it was the policy and the duty of the Legislature to provide, that what the consumer paid in consequence of the increased tax, should come into the pocket of the public. If, however, it should turn out, in the case before the House, that the Irish distiller or spirit-holder should be unable to obtain the advanced duty upon his stock in hand, from the consumer, it would, no doubt, become the duty of the Legislature to take that into consideration and to afford due redress. But it would be utterly inconsistent with the policy and practice of Parliament, to accede to the exemption required by the noble lord, at the moment when the tax was about to be imposed. With respect to the noble earl's concluding observation, he (lord L.) trusted that when the two Treasuries of Great Britain and Ireland should be consolidated, such a measure, arranged with due caution, would be found exceedingly advantageous to all parties; and that the Irish public would be peculiarly benefited by its operation. Care would, no doubt, be taken in regulating the taxation, to pay due regard to local circumstances, and that the principle of the measure in contemplation should be equally fair towards Great Britain and Ireland.—That both countries should be under the direction of the same board, was obviously the best mode of securing to each the administration of the same principles.

The Earl of *Donoughmore* said, that as to his connexion with the Excise in Ireland, when some of the Acts were passed to which the noble Secretary referred, he had only to observe, that the Commissioners of Revenue were not consulted by Government upon the imposition of duties, those Commissioners being only the executive authority, to have the collection of such duties duly enforced. It had been always his opinion, that a much more extensive share of power and of responsibility ought to have been left in the hands of the Irish Boards of Revenue than they had been suffered to possess for the few last years. He reminded the noble earl, that it was from a difference of opinion between him (lord D.), as the then head of both the Boards of Revenue in Ireland, and a right hon. gentleman who was the last Irish Secretary of the Treasury there, as to their respective rights and departments, that an end was put to that situation, which was from thenceforward merged in the situation of First Lord of the English Treasury. But were he consulted upon the establishment of those precedents, they should certainly have met his decided disapprobation; for he never should have agreed to extend a duty upon spirits to the stock in hand. Such a proposition was, indeed, never made previous to the Union. As to the reason assigned by the noble Secretary for not subjecting the stock on hand of English spirits to any additional duty, applied to the English distillery, that reason appeared to him (lord D.) to have no force whatever. For the proportion of wash necessary to make a certain quantity of spirits being duly ascertained, he could see no ground for the distinction maintained by the noble Secretary, or why, because the tax was laid upon wash in this country, the stock on hand of spirits should be untouched, especially according to the noble Secretary's argument in support of what he alleged to be an ununiformly-recognized principle of taxation. But still less could he admit the justice of the noble Secretary's distinction, when he recollected that in the measure under consideration it was proposed to subject the stock-in-hand spirits to an additional duty, in consequence of a tax upon malt, the addition upon the former being calculated according to the proportion of the latter, necessary in the production of a certain quantity of spirits. With this view of the subject, he was quite astonished at the nature of the noble Secretary's observation, or how he could deem it fair to apply a principle of taxation to Ireland, so different from that which prevailed in this country. When, however, the great measure of consolidating the two Treasuries should take place, he trusted that this unjust distinction would be done away, and that the present would be the last deviation from the English principle of taxation which Ireland would be condemned to experience. The noble lord concluded with stating, that he would not divide the committee upon this subject, but he hoped that his suggestions would be duly considered.

The Bill went through the Committee.

HOUSE OF COMMONS.

Thursday, July 6.

Answer of the Duke of York to the Vote of Thanks.] Mr. Speaker acquainted the House, that he had received from Field Marshal his Royal Highness the Duke of York the following Letter in return to the Thanks of this House, signified to him by Mr. Speaker, in obedience to their commands of Wednesday last.

"Sir; *Horse Guards, 5th July*, 1815.

"In acknowledging the receipt of your letter, dated yesterday, I know not in what terms I can sufficiently express the deep sense of gratitude I feel on finding that my services in the command and administration of the British Army have once more been distinguished by the Thanks of the House of Commons.

"It is to the natural energy of British soldiers, to that firm and persevering bravery which forms so distinguishing a feature in our national character, and to the pre-eminent talents of that great officer the duke of Wellington, to whom the command of our army on the Continent has been intrusted, that I must exclusively attribute the late brilliant career of his Majesty's arms.

"But it is with peculiar pride I learn, that the favour of the House of Commons has induced them to ascribe to any effort of mine the smallest share in securing those splendid successes which have at once insured the future tranquillity of Europe, and crowned our exertions with unparalleled glory. I am, Sir, yours,

"Frederick,
Commander in Chief."

The Right Hon. the Speaker.

Mr. *W. Courtenay* inquired, whether any steps had yet been taken to provide a proper court for the Vice Chancellor, in which he might execute the duties intrusted to him by an Act which passed two years ago?

The *Chancellor of the Exchequer* said, that he hoped to have been able to submit a proposition to the House upon the subject before, but some particular causes had prevented him from doing so. It certainly, however, was the intention of Government to provide a proper court for the discharge of the business belonging to the office of Vice-Chancellor.

Lord *Cochrane* gave notice that he should, early in the next session, move for the appointment of a committee to inquire into the evidence taken upon the proceedings in a late trial, and into the conduct of the Lord Chief Justice upon that trial.

The *Chancellor of the Exchequer* moved the usual Addresses to his royal highness the Prince Regent, praying that he would order certain sums to be paid to the Chairman of the Committees, and to the other officers of that House, for their services, and that the House would make good the same.

Sir *C. Burrell* observed, that a Bill had been passed in the course of the present session, to enable the Government to erect signal-stations in different parts of the country. He wished to know, as it was of importance to many individuals who had land in those parts where they were to be erected, whether under the present circumstances of the war, it would still be thought necessary to apply the public money to those objects.

Sir *G. Warrender* said, the only answer which he could give to the hon. baronet's question was, that the actual circumstances must regulate the necessity or propriety of acting upon that Bill.

HOUSE OF LORDS.

Friday, July 7.

Stamp Duties on Newspapers.] On the committal of the Bill for imposing an additional duty upon Newspapers and Advertisements,

Earl *Stanhope* observed, that the tendency of this measure would be such as he presumed the minister could not desire, namely, to increase the public burthens, and to diminish the revenue. This might appear paradoxical, but he remembered a similar case some years ago: when an additional duty was imposed upon spirits, he ventured to foretell that the effect of the new duty would be to reduce the revenue upon spirits generally—and what was the result? Why, that this revenue fell off to the amount of between 2 and 300,000*l.*, in consequence of which reduction, Mr. Pitt had the additional duty repealed; although he (lord Stanhope) was in the first instance laughed at for his predictions. He had no doubt that in predicting the consequence of the Bill under consideration, he should be found equally accurate as in the case alluded to, whatever attention might be paid to him at present. But, independently of any considerations of revenue, he should ever disapprove of any measure calculated to impede the freedom, or discourage the industry of the press. For he had always been a friend to the propagation of light, convinced that such propagation was best calculated to promote the interest and happiness of mankind. Of course, then, he must be adverse to any proceeding likely to interfere with that great principle; and on this ground he opposed the present Bill, which was not only objectionable in its character, but absurd in its construction. Such a Bill was, indeed, one among the most prominent specimens of that slovenliness with which bills had been of late sent up to that House from the Commons. For instance, this Bill proposed a tax upon pamphlets, books, or papers, commonly so called, containing only one sheet, and not exceeding eight sheets. But it was curious to see how pamphlets were defined. In one clause all papers were described as pamphlets which amounted to one sheet, and yet in another clause of this blessed schedule, those only were defined to be pamphlets which exceeded one sheet. But this was only one among the many absurdities which belonged to this extraordinary Bill. The noble lord concluded with moving, as an amendment, the omission of these words—"or inserted in any other newspapers." The amendment was negatived.

Earl Stanhope then forcibly animadverted upon the general character of the Bill, and upon the thinness of the House upon a subject of such importance, which involved alike the interest of trade and revenue as those of liberty and learning.

The several clauses were agreed to, the House resumed, and the Report was ordered to be brought up to-morrow.

The Law Deeds Stamp Duty Bill being committed,

Earl *Stanhope* urged the propriety of having a Bill of this nature brought before the House at an earlier period, in order to afford time for its ample consideration, referring to a decision of the Court of King's Bench, that if a receipt were drawn upon a higher stamp than was prescribed by law, such receipt was invalid; therefore, it was right to have such a measure as the present duly promulgated, for the safety of the public, before it was finally enacted, and on this ground he disapproved of the manner in which the Bill was pressed, among a crowd of other bills brought from the other House at this late period of the session.

The clauses were adopted, the House resumed, and the Bill was ordered to be read a third time to-morrow.

HOUSE OF LORDS.

Monday, July 10.

Pillory Abolition Bill.] Earl *Stanhope* adverted to the Bill which had been for some time under their lordships attention, though finally rejected, and observed that it involved a question of infinite importance to the subjects of these realms. He thought it desirable that it should not be suffered wholly to die away: and he should therefore submit a motion to the House, which was in fact merely a copy of an order which their lordships had made some years ago, but which had never been acted upon. His motion was as follows: "That the Judges do prepare and lay before the House, a Bill for reducing into one Act all the laws now in force, imposing the penalty of the pillory, or authorising the infliction of the same." He did not apprehend that any objection would be made to that motion; but he had another to propose, which he did not expect would be acceded to, nor indeed did he mean to press it, as his only object was to have it recorded on their journals, in the hope that the subject to which it referred might hereafter be taken into their lordships consideration. He was aware that the Judges, in dispensing the criminal and civil justice of the country, had quite enough to occupy their time; but as they must go through the statute-book, in order to comply with the preceding motion, supposing they did comply with it, there would not be any great additional trouble in comprehending the present motion, which was, that "they do prepare and bring in a Bill to digest into one Act, all the laws now in force respecting the Poor."

After a few words from the Lord Chancellor, the first motion of the noble lord was agreed to, and the second negatived.

Apothecaries' Bill.] On the motion that the Report of this Bill be received,

Earl *Stanhope* rose to express his objections to the Bill in question. He had never seen such a bungling bill, even from the bunglers of the House of Commons [a laugh]. During the last session, a Bill had come up from that House to their lordships, in which the pecuniary penalty for some offence had been changed into transportation for fourteen years. Now, their lordships knew, that when a fine was levied by way of penalty, it was customary to provide that half the fine should go to the informer, and the other half to the King; but in this Bill they forgot to alter that provision, so that the enactment literally ran thus—that the person committing this offence should be transported for fourteen years, half the penalty to go to the informer, and the other half to the King [a laugh]. With respect to the present Bill, he was decidedly friendly to its object, because it was an honest one; but he was an enemy to its clauses, because they were oppressive. The noble earl specified several of the provisions which he thought oppressive and incorrect. He objected also to its being made a private instead of a public Bill, as it was smuggling the measure through the House in an unfair manner. He wished that it might be postponed for the present, not from any desire that it should be abandoned, but merely that it might be resumed next session in a less imperfect manner; and he should therefore move, that it be read a third time on Thursday next.

The *Lord Chancellor* defended the Bill, as calculated to produce much good. It was not so perfect as it might be, perhaps; but that was no reason for rejecting the benefit it would produce, merely because it was possible to render it still more efficient. With respect to the oppression complained of by the noble earl, if he would examine the charter of the Apothecaries Company, he would find that they possessed, by virtue of that Charter, powers much more extensive than it was now proposed to grant them. In fact, the present Bill was a qualification and limitation of that Charter. It would, indeed, be a great act of injustice on the part of that House towards the suitors for the Bill, if they were now, after having suffered it to go through so many stages at a considerable expenditure of time and money, to throw it out, except there existed some stronger grounds for such a proceeding than had been indicated by the noble earl. He should, therefore, certainly vote for its passing to a third reading.

The amendment was negatived, and the Bill ordered to be read a third time tomorrow.

HOUSE OF LORDS.

Tuesday, July 11.

Earl *Stanhope* presented a Petition, which he said had just been put into his hands, from a person of the name of St. John Mason, complaining of oppression and imprisonment sustained by him in Ireland, during the administration of the earl of Hardwicke. The noble earl said he wished he had received the Petition earlier, as it contained some strong allegations, which he thought deserved inquiry; but he was in great doubt as to the best mode of proceeding at the present moment, it being now the close of the session.

The *Lord Chancellor* suggested, that as no steps could be taken upon the Petition now, it would be much better to defer presenting it till the commencement of the next session.

Earl *Stanhope* concurred in the propriety of this suggestion, and accordingly withdrew the Petition.

HOUSE OF COMMONS.

Tuesday, July 11.

Report on Mad-Houses.] Mr. Rose brought up the Report of the Select Committee on Mad-houses. On moving that it be printed,

Mr. *Rose* took the opportunity of observing, that all who read the Report must feel satisfied of the indispensable necessity of legislative interference. In no country were there any set of people so unprotected as the unhappy persons to whom the Report referred. The way in which they were usually confined, was that of criminals; and their treatment was in general worse than the ordinary treatment in gaols. The number of persons appointed to take care of them, was in most cases utterly insufficient; in consequence of which the greatest severity was too frequently resorted to. He trusted that the subject would be fully considered by honourable members during the recess, and that all would be disposed in the next session to give their assistance towards the formation of a measure calculated to diminish the existing evil. That in many cases those who were afflicted might, if properly treated, recover their sanity, was very evident. One strong instance was mentioned in the Report, of a poor insane woman, who, having for some time been chained down to the floor in a parish workhouse, disturbed all the other inmates of the dwelling by her cries; and who, on being removed in consequence to a more proper place of confinement, was, by proper treatment, perfectly cured in the space of five months.

The Report was then ordered to be printed.

MENDICITY OF THE METROPOLIS.] Mr. Rose reported from the committee appointed to inquire into the state of Mendicity in the Metropolis, and its immediate neighbourhood, and to report the same, together with their observations thereupon, to the House, and who were empowered to report the minutes of the evidence taken before them;—That they had considered the matter to them referred; and had directed him to make a Report thereof to the House, with an appendix: and the Report was read. On the motion, that it be printed,

Mr. *Rose* begged to call the attention of the House for a few moments to the subject. When in a former part of the session he had moved for the appointment of a committee, he stated that his object was twofold—to better the situation of those who were really distressed, and to repress scandalous and abominable imposture. The evidence obtained by the committee, confirmed more strongly his previous opinions on this subject. They had found that there were a great many objects of real compassion, but that there were many more of the worst description of impostors. The number of mendicants in the metropolis was estimated at about 30,000, but probably it was much greater. Most of these persons gained more than many industrious individuals of the lower classes of the community. One man actually acknowledged that his profits were about thirty shillings a day. This might be a singular case, but it was proved by the strongest evidence that the average receipts of mendicants in London were from three to six shillings a day each. This money was spent in the most exceptionable manner, in dram shops, at feasts, and even in the purchase of luxuries of all sorts, eatable as well as drinkable. The committee had ascertained a fact which was unknown to him before. Many parishes farmed their poor. About 100 parishes, he believed, in the City did so. Six or seven shillings a week each were allowed to those by whom they were taken, and who then sent them about to beg during the day for the purpose of saving their provision! It was desirable that the conduct of parishes in this respect should be more carefully watched, even when they maintained their own poor. It appeared by the minutes of evidence annexed to the Report, that in one case 22 paupers were compelled to sleep in a single room of small dimensions, thus creating a great risk of pestilential disease. Many of the paupers of the Metropolis were Irish, who coming to this country with the laudable intention of obtaining employment, failed in that object. In a court which led out of one of the fashionable streets of Mary-le-bone, 700 of these poor persons were crowded into 24 small houses! It would appear by the Report that the number of private charities in the Metropolis was almost inconceivable. But unfortunately most of those by whom they were supported, contented themselves with giving their money, and never examined into its application. The House would hardly believe that there was one benevolent institution supported by peers, members of that House, and other opulent individuals, the object of which was to purchase beef, and sell it to the poor at a moderate price. Nothing could be more commendable than this institution, were it properly administered. The revenue of it was 600*l.* a year. But it appeared that the whole of it was managed by a single individual, and it had been recently discovered that this man put the whole of the money, with a trifling exception, in his own pocket! It appeared in evidence, that in one year he had purchased only 27*l.* worth of beef, and that the largest quantity he had ever bought within the twelvemonth was to the value of 72*l.*, he appropriating the remainder to his own use. On a Bow-street officer's being employed to apprehend this person, it was found that he was the subject of other charges of as serious a nature. There were various practices described in the Report, by which the most cautious as well as the careless had been imposed upon. It had never been in his contemplation, that a complete remedy could be discovered for these evils; and he was persuaded that the closest attention was necessary to the formation of any measure calculated materially to diminish them. The existing laws were evidently too severe; in consequence of which they were never acted upon. There must be some alteration in the law. It was evaded in a hundred ways. One man with a dog, when taken up by the parish officers, remonstrated, exclaiming, "I am no beggar, it is my dog that begs; you see that he has his hat in his hand." It was but justice to the beadles and parish-officers in this city to say, that they discharged their duty with commendable activity. But the only present effect of apprehending beggars in the Metropolis was, to remove them to the vicinage—to Richmond, to Egham, and elsewhere. The best course that could be adopted with respect to them would be, to provide places in which they could be employed; but this would be attended with great expense to the public. At all events he trusted the House would feel, that this was a subject which demanded their most serious attention.

Mr. *W. Smith* hoped, that when the subject should be again brought foward, as it would next session, the consideration of a measure on it would not be confined to this metropolis, but extend to the whole country.

The Report was ordered to be printed.

MR. WHITBREAD — BEDFORD WRIT.] The Marquis of *Tavistock* rose, evidently under the strongest emotion, and addressed the Speaker to the following effect:—

Sir;—I am persuaded that it must be quite unnecessary for me to say that I am at this moment labouring under feelings of the most painful and afflictng nature—[Hear, hear!] I wish, however, shortly to state to the House the reasons which induce me to depart from the usual practice in moving for a new writ, in order that I may pay a humble but sincere tribute of affection to the memory of my departed friend. Sir, it is not on any consideration of private friendship—it is not on any contemplation of his many virtues as a private individual,—it is on the reflection of the great space which he occupied in this House—it is on the recollection of his splendid abilities—it is on the conviction which we who thought with him on political subjects entertain of the advantages which the country derived for his exertions, that I found my excuse for this address—that I even claim the concurrence of all those who hear me in the feelings which agitate me at the present moment—[Hear, hear!] I am well aware, Sir, that a majority of this House thought his opinions erroneous. But—I speak it with confidence—I am sure that there is not one of his political opponents who will not lay his hand on his heart and say that he always found in him a manly antagonist—[Hear, hear!] The House of Commons will, I am persuaded ever do justice to the good intentions of those who honestly dissent from the sentiments of the majority. Accustomed to defend his opinions with earnestness and warmth, the energies of his admirable and comprehensive mind would never permit the least approach to tameness or indifference. But no particle of animosity ever found a place in his breast, and, to use his own words on another melancholy occasion, "he never carried his political enmity beyond the threshold of this House,"—[Hear, hear!] It was his uniform practice to do justice to the motives of his political opponents; and I am happy to feel that the same justice is done to his motives by them—[Hear, hear!] To those, Sir, who were more immediately acquainted with his exalted character—who knew the directness of his mind, his zeal for truth, his unshaken love of his country, the ardour and boldness of his disposition, incapable of dismay, his unaffected humanity, and his other various and excellent qualities, his loss is irreparable—[Hear, hear!] But most of all will it be felt by the poor in his neighbourhood. Truly might he be called "the poor man's friend." Only those who, like myself, have had the opportunity of observing his conduct nearly, can be aware of his unabating zeal in promoting the happiness of all around him—[Hear, hear!] Thousands of individuals have benefited by the generosity of his heart; and the county, the principal town of which he represented, contains imperishable records of his active philanthropy, as well as that of the good man who went before him—[Hear, hear!] His eloquent appeals in this House in favour of the unfortunate—appeals exhibiting the frankness and honesty of the true English character—will adorn the pages of the historian; although at the present moment they afford a subject of melancholy retrospect to those who have formerly dwelt with delight on the benevolence of a heart which always beat, and on the vigour of an intellect which was always employed for the benefit of his fellow-creatures — [Hear, hear!] Sir, I am conscious that I need not intreat pardon of the House at large for thus indulging in the praise of my lamented friend; but I owe an apology to those who loved him, for the feebleness with which it has been bestowed—[Hear, hear!] I move, Sir, "That the Speaker do issue his warrant to the Clerk of the Crown, to make out a new writ for the electing of a burgess to serve in this present Parliament for the borough of Bedford, in the room of Samuel Whitbread, esq. deceased."

Mr. *Wilberforce* expressed the gratification which he felt at the pathetic speech of the noble marquis, which afforded an additional proof that the best eloquence was that of the heart. He wished to add his testimony to the excellent qualities of the lamented individual whose death had rendered the present motion necessary; and in doing so, he could with truth declare, that he was only one of many thousands, rich as well as poor, by whom his character had been most highly estimated. Well had it been termed by the noble marquis "a truly English character." Even its defects, trifling as they were, (and what character was altogether without defect?) were those which belonged to the English character. Never had there existed a more complete Englishman—[Hear, hear!] All who knew him must recollect the indefatigable earnestness and perseverance with which, during the course of his life, he directed his talents and the whole of his time to the public interest; and although he (Mr. Wilberforce) undoubtedly differed from him on many occasions, yet he always did full justice to his public spirit and love of his country—[Hear, hear!] He was capable (as had been seen at various times) of controlling the strongest feelings of personal attachment, when he thought that his duty to the public compelled him to do so. It was a melancholy satisfaction to those who loved him, to see that those who had differed from him on many political questions, nevertheless considered him as one of those public treasures, the loss of which must by all parties be deeply lamented—[Hear, hear!] For himself, he could never forget the important assistance which he derived from his zeal and ability in the great cause which he had so long advocated in that House. On every occasion, indeed, in which the condition of human beings was concerned—and the lower their state the stronger their recommendation to his favour—no one was more anxious to apply his great powers to increase the happiness of mankind—[Hear, hear!]

The *Chancellor of the Exchequer* stated, that it was far from his wish to detain the House after the address, replete with feeling and propriety, which they had heard from the noble marquis, and after the excellent observations of his hon. friend—[Hear, hear!] All that he desired to say was, that it must be some consolation to the noble marquis, and to the whole House, to feel, that whatever difference of opinion might exist on political questions, there was no one who did not do justice to the virtues and talents of the object of their regret, or who for a moment supposed that he was actuated in his public conduct by any other motive than a conviction of public duty—[Hear, hear!]

The new writ for Bedford was then ordered.

Sir *J. Yorke*, seeing an hon. member in his place who had lately complained of the conduct of captain Baker, of the Cumberland, in the management of a convoy which he had in charge, read a letter from captain Baker, explaining the nature of the transaction, and defending himself from the accusation.

Mr. *Forbes* declared, that no man would be more rejoiced than himself if captain Baker cleared himself from the charge alleged against him, and pledged himself to take the earliest opportunity to put the Admiralty in possession of the means of prosecuting the inquiry.

Mr. *M. A. Taylor* gave notice, that early in the next session he would revive the subject of the abolition of the punishment of the pillory, unless some measure of that kind should originate in another quarter; and also, that early in the next session, unless a considerable alteration should take place in the mean while, he would renew the Bill for better paving the Metropolis.

HOUSE OF LORDS.

Wednesday, July 12.

THE SPEAKER'S SPEECH TO THE PRINCE REGENT ON PRESENTING THE VOTE OF

Credit Bill.] Exactly at two o'clock, his royal highness the Prince Regent entered the House of Lords. The Usher of the Black Rod was immediately dispatched to the House of Commons, requiring their attendance. The Speaker and a great number of members accordingly made their appearance in a few minutes. As soon as the Speaker had reached the bar, he pronounced the following Speech:—

"May it please your Royal Highness:

"We his Majesty's faithful subjects, the Commons of Great Britain and Ireland, in obedience to your Royal Highness's commands, attend your Royal Highness; and, according to our ancient privilege, we crave leave to present with our own hands our grant of supply, which concludes the labours of the session.

"In the ordinary course of our proceedings, much of our time has been occupied in discussing measures of great importance to the State, with respect to its agriculture, shipping, and finances.

"We have endeavoured so to regulate the Corn Laws with prudence and firmness, that protection and encouragement may be given to the agricultural interests of every part of the United Kingdom, without endangering the prosperity of our trade and manufactures. We have endeavoured also to derive new means of maritime strength from the valuable resources of our Indian possessions; and, after devising and preparing such plans for adjusting the public revenue and expenditure, as might suit a period of returning peace, we have been called upon by unlooked-for events, to renew our exertions and sacrifices upon the most extended scale of war.

"Scarcely had we closed our contest with America, and scarcely had the Congress of Vienna laid the first foundation of those arrangements, which were destined to consolidate the peace of Europe, when, in direct contravention of the most solemn engagements, the disturber of Europe, and destroyer of the human race, reappeared upon the throne of France, and the world was once more in arms.

"In the short space of three months, by rapid strides, the fate of Europe has been again brought to issue; and the conflict was tremendous, but the result has been glorious. The most warlike nations, headed by the most renowned commanders, have met in battle; and as Britons, we have the triumphant satisfaction to know (however much that triumph may be saddened with private grief), that it is now no longer doubtful to what name, and to what nation, the world will henceforth ascribe the pre-eminence for military skill and unconquerable valour.

"To consecrate the trophies, and perpetuate the fame of our brave countrymen who fell in that unrivalled victory, we have declared it to be our ardent desire, and it will be the distinguishing glory of your Royal Highness's days, to erect, in the metropolis of this empire, such a lofty and durable monument of their military renown, and our national gratitude, as may command the veneration of our latest posterity.

"Great, however, and glorious as this victory has been in itself, it is not to the joint exertions and heroic achievements of the British and Prussian arms in that memorable conflict, that we must limit our admiration. We have also to contemplate with equal pride and satisfaction its immediate consequences, military, political, and moral.

"We have seen the illustrious Commanders of the Allied Armies advancing at once into the heart of France; and Paris, twice conquered, has again opened her gates to the conquerors.

"The Usurper of a throne, which he has twice abdicated, has sought his safety in an ignominious flight, and the rightful Sovereign of France has once more resumed the sceptre of his ancestors.

"With these awful scenes passing before us, we may presume also to hope, that the period is not now distant, when the hand of Providence will finally extinguish the remaining effects of that guilty and perfidious spirit of domination which has so long raged without control, and restore to desolated Europe the blessings of peace and justice.

"But, Sir, whatever may be the final issue of these great transactions, we look forward with confidence to their satisfactory conclusion, under the auspices of your Royal Highness; and we doubt not of the happiest results, from the same councils which have planned, and the same hands that have executed those wise and vigorous measures which have hitherto been crowned with such signal success.

"On our part, it is our humble duty to strengthen the means of your Royal Highness's Government; and towards effectuating that purpose, we, his Majesty's faithful Commons, do this day present to your Royal Highness a Bill, intituled, 'An Act for enabling his Majesty to raise the sum of Six Millions for the service of Great Britain.'

"To which, with all humility, we intreat his Majesty's Royal Assent."

The Royal Assent was then declared to the Vote of Credit Bill, the Bread Assize Bill, and a number of minor Bills.

THE PRINCE REGENT'S SPEECH AT THE CLOSE OF THE SESSION.] His royal highness the Prince Regent was then pleased to make the following Speech from the throne:

"My Lords and Gentlemen;

"I cannot close this session of parliament without again expressing my deep regret at the continuance of his Majesty's lamented indisposition.

"At the commencement of the present session I entertained a confident hope, that the Peace which I had concluded in conjunction with his Majesty's Allies would meet with no interruption; that, after so many years of continued warfare and of unexampled calamity, the nations of Europe would be allowed to enjoy that repose for which they had been so long contending; and that your efforts might be directed to alleviate the burthens of his Majesty's people, and to adopt such measures as might best promote the internal prosperity of his dominions.

"These expectations were disappointed by an act of violence and perfidy of which no parallel can be found in history.

"The usurpation of the supreme authority in France by Buonaparté, in consequence of the defection of the French armies from their legitimate Sovereign, appeared to me to be so incompatible with the general security of other countries, as well as with the engagements to which the French nation had recently been a party, that I felt I had no alternative but to employ the military resources of his Majesty's dominions, in conjunction with his Majesty's Allies, to prevent the re-establishment of a system which experience had proved to be the source of such incalculable woes to Europe.

"Under such circumstances you will have seen, with just pride and satisfaction, the splendid success with which it has pleased Divine Providence to bless his Majesty's arms and those of his Allies.

"Whilst the glorious and ever-memorable victory obtained at Waterloo, by field-marshals the Duke of Wellington and and Prince Blucher, has added fresh lustre to the characters of those great commanders, and has exalted the military reputation of this country beyond all former example, it has at the same time produced the most decisive effects on the operations of the war, by delivering from invasion the dominions of the king of the Netherlands, and by placing, in the short space of fifteen days, the city of Paris and a large part of the kingdom of France in the military occupation of the Allied Armies.

"Amidst events so important, I am confident you will see how necessary it is, that there should be no relaxation in our exertions, until I shall be enabled, in conjunction with his Majesty's Allies, to complete those arrangements which may afford the prospect of permanent peace and security to Europe.

"Gentlemen of the House of Commons;

"I thank you for the very liberal provision you have made for the services of the present year.

"I deeply lament the continuance and increase of those burthens which the great military exertions of the present campaign, combined with the heavy arrears remaining due for the expenses of the former war, have rendered indispensable, and which his Majesty's loyal subjects, from a conviction of their necessity, have sustained with such exemplary fortitude and cheerfulness.

" You have already, seen, however, the fruit of the exertions which have been made; and there can be no doubt that the best economy will be found to result from that policy which may enable us to bring the contest to the most speedy termination.

" My Lords and Gentlemen;

" The brilliant and rapid success of the Austrian arms at the opening of the campaign, has led to the restoration of the kingdom of Naples to its ancient Sovereign, and to the deliverance of that important portion of Italy from foreign influence and dominion.

" I have further the satisfaction of acquainting you, that the authority of his Most Christian Majesty has been again acknowledged in his capital, to which his Majesty has himself repaired.

" The restoration of Peace between this Country and the United States of America has been followed by a negociation for a Commercial Treaty, which I have every reason to hope will be terminated upon conditions calculated to cement the good understanding subsisting between the two countries, and equally beneficial to the interests of both.

" I have great pleasure in acquainting you, that the labours of the Congress at Vienna have been brought to a conclusion by the signature of a Treaty, which, as the ratifications have not yet been exchanged, could not be communicated to you, but which I expect to be enabled to lay before you when I next meet you in Parliament.

" I cannot release you from your attendance without assuring you, that it is in a great degree to the support which you have afforded me, that I ascribe the success of my earnest endeavours for the public welfare; and on no occasion has that support been more important than in the course of the present session.

" In the further prosecution of such measures as may be necessary to bring the great contest in which we are engaged to an honourable and satisfactory conclusion, I shall rely with confidence on the experienced zeal and steady loyalty of all classes of his Majesty's subjects; and they may depend on my efforts to improve our present advantages in such manner as may best provide for the general tranquillity of Europe, and maintain the high character which this country enjoys amongst the nations of the world."

The Lord Chancellor then, by his royal highness the Prince Regent's command, said: " My Lords and Gentlemen; It is the will and pleasure of his royal highness the Prince Regent, acting in the name and on behalf of his Majesty, that this Parliament be prorogued to Tuesday the 22d day of August next, to be then here holden; and this Parliament is accordingly prorogued to Tuesday the 22d day of August next."

HOUSE OF COMMONS.

Wednesday, July 12.

Mr. *W. Smith* said, he wished to call the attention of the right hon. gentleman to a subject which had occupied the notice of Parliament in the early part of the session; he alluded to the Abolition of the Slave Trade by France. He hoped that now Louis XVIII. was restored to his throne again, his Majesty's ministers would use their utmost endeavours to obtain from him an immediate abolition of that traffic.

The *Chancellor of the Exchequer* said, he could assure the hon. gentleman that the subject had been already under the attention of Government, and that ministers would not be found wanting in their efforts to accomplish so desirable an object.

At two o'clock the Usher of the Black Rod appeared, and summoned the House into the House of Peers. Upon their return, the members assembled round the table, when the Speaker read the Speech of his Royal Highness to them, proroguing the Parliament to Tuesday the 22d of August, after which he made his bow, and the members withdrew.

LIST OF PUBLIC ACTS,

Passed in the Third Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland.—55 GEO. III.—A. D. 1814-15.

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1. An Act for the encouragement and reward of petty officers, seamen, and royal marines, for long and faithful service, and for the consolidation of the Chest at Greenwich with the Royal Hospital there.
2. For directing the application of the residuary personal estate of Anna Maria Reynolds, spinster, bequeathed by her to the use of the Sinking Fund.
3. For continuing to his Majesty certain duties on malt, sugar, tobacco, and snuff, in Great Britain; and on pensions, offices, and personal estates in England; for the service of the year 1815.
4. For raising the sum of 12,500,000*l.* by Exchequer bills, for the service of Great Britain for the year 1815.
5. To enable the commissioners of his Majesty's Treasury to issue Exchequer bills, on the credit of such aids or supplies as have been or shall be granted by Parliament for the service of Great Britain for the year 1815.
6. To continue, until the 25th day of March 1816, an Act for suspending the operation of an Act of the 17th year of his present Majesty, for restraining the negociation of promissory notes and bills of exchange under a limited sum in England.
7. To repeal an Act of the last session of Parliament, for granting duties of Excise on certain sorts of glass made in Ireland, and for granting and allowing certain countervailing duties and drawbacks in respect thereof.
8. To continue, during the continuance of the present hostilities, and until six months after the ratification of a definitive treaty of peace, so much of an Act of the 34th year of his present Majesty, as permits the importation into Great Britain and Ireland in neutral vessels, from states in amity with his Majesty, of certain goods, wares, and merchandize.
9. To continue, until the expiration of six months after the conclusion of the present hostilities, an Act of the 46th year of his present Majesty, for authorizing his Majesty in council to allow the importation and exportation of certain goods and commodities in neutral ships into and from his Majesty's territories in the West Indies and continent of South America.
10. To make further provision respecting the duties payable upon East India goods, and to allow bond to be given for payment of the duties upon such goods when imported by private traders.
11. To continue, until six months after the ratification of a definitive treaty of peace, an Act of the 45th year of his present Majesty, for granting to foreign ships put under his Majesty's protection, the privileges of prize-ships; and for allowing aliens in foreign colonies surrendered to his Majesty, to exercise the occupations of merchants or factors during the present war.
12. To amend several Acts relating to fines in respect of unlawful distillation in Ireland, to the warehousing of spirits, and to the securing the duties of Excise on spirits distilled, and on hides and skins tanned in Ireland.
13. To amend an Act passed in the last session of Parliament, intituled, An Act to provide for the better execution of the laws in Ireland, by appointing superintending magistrates and additional constables in counties, in certain cases.
14. To impose certain duties on the importation, and to allow drawbacks on the exportation of certain sorts of wood into and from Ireland, in lieu of former duties and drawbacks on the like sorts of wood; and to indemnify persons who have admitted certain sorts of wood to entry on payment of a proportion only of the duty imposed thereon.
15. To amend an Act made in the 52nd year of his present Majesty, for making provision for the better support of his Majesty's household, during the continuance of his Majesty's indisposition.
16. To continue and amend an Act, passed in the 48th year of the reign of his present Majesty, intituled, An Act for empowering the Governor and Company of the Bank of England to advance the sum of three millions towards the supply for the service of the year 1808.
17. To indemnify such persons in the United Kingdom as have omitted to qualify themselves for offices and employments, and for extending the times limited for those purposes respectively, until the 25th day of March 1816; and to permit such persons in Great Britain as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors to make and file the same on or before the first day of Hilary Term 1816.
18. To settle and secure an annuity on lord Walsingham, in consideration of his services as chairman of the committees of the House of Lords.
19. To grant certain duties of Excise upon licences for the sale of spirituous and other liquors by retail, and upon licences to persons dealing in exciseable commodities, in Ireland, in lieu of the Stamp-duties payable upon such licences; and to secure the pay-

ment of such Excise-duties, and to regulate the issuing of such licences; and to discourage the immoderate use of spirituous liquors in Ireland.

20. For punishing mutiny and desertion; and for the better payment of the Army and their quarters.

21. For the regulating of his Majesty's Royal Marine forces while on shore.

22. To repeal the duties of Customs payable on the importation of tobacco, and to grant other duties in lieu thereof.

23. To repeal the duties of Customs upon the importation of citrat of lime, and to grant other duties in lieu thereof.

24. To grant duties of Customs on the exportation of certain goods, wares, and merchandize, from Ireland, in lieu of the duties of Customs heretofore payable on such exportation.

25. For the better regulation of the manufacture of brown linens in Ireland.

26. To amend the laws now in force for regulating the importation of corn.

27. To continue, until the 5th day of July 1816, certain additional duties of Excise in Great Britain.

28. For further continuing, until the 5th day of July 1816, an Act of the 44th year of his present Majesty, to continue the restrictions contained in the several Acts of his present Majesty on payments of cash by the Bank of England.

29. To regulate the trade between Malta and its dependencies, and his Majesty's colonies and plantations in America; and also between Malta and the United Kingdom.

30. For granting to his Majesty, until the 5th day of April 1819, additional duties of Excise in Great Britain on sweets, tobacco, snuff, and Excise licences.

31. To amend certain Acts respecting the exportation and importation of sugar, and further to regulate the importation of sugar, coffee, and other articles from certain islands in the West Indies.

32. To rectify a mistake in an Act of the present session of Parliament with respect to the duties on sugar imported from the East Indies; and for further continuing, until the end of six weeks from and after the expiration of any Act or Acts of Parliament continuing the temporary or war duties upon sugar imported into Great Britain, certain countervailing duties, drawbacks, and bounties, on refined sugar.

33. To continue, until the 5th day of July 1816, certain temporary or war duties of Customs on the importation into Great Britain of goods, wares, and merchandize.

34. To continue, until the 25th day of March 1817, an Act made in the 49th year of his present Majesty, to permit the importation of tobacco into Great Britain from any place whatever.

35. To grant to his Majesty an additional duty of Excise on tobacco in Ireland.

36. To grant to his Majesty a duty of Customs on tobacco imported into Ireland.

37. To amend several Acts respecting the exportation and importation of sugar into and from Ireland; and further to regulate the importation into Ireland of sugar, coffee, and other articles, from certain islands in the West Indies.

38. To repeal so much of an Act of the last session of Parliament, as directs that no bleaching powder, made in Ireland and brought into Scotland, should be removed into England.

39. To revive and continue, until the 25th day of March 1820, several laws relating to the encouragement of the Greenland whale fisheries, and to the allowing vessels employed in the said fisheries to complete their full number of men at certain ports.

40. For raising the sum of 2,323,750*l.* Irish currency, by Treasury-bills, for the service of Ireland, for the year 1815.

41. To continue, until three months after the ceasing of any restriction imposed on the Bank of England from issuing cash in payment, the several Acts for confirming and continuing the restrictions on payments in cash by the Bank of Ireland.

42. To facilitate the administration of justice in that part of the United Kingdom called Scotland, by the extending trial by jury to civil causes.

43. For the more effectual prevention of the use of false and deficient measures.

44. For the relief of the captors of prizes, with respect to the admitting and landing of certain prize vessels and goods in Ireland; to continue in force until the 25th day of March 1816.

45. For continuing the premiums allowed to ships employed in the southern whale fishery.

46. To amend an Act passed in the 48th year of the reign of his present Majesty, intituled, An Act for the better care and maintenance of lunatics, being paupers or criminals in England.

47. For procuring returns relative to the expense and maintenance of the poor in England; and also relative to the highways.

48. For enlarging the powers of two Acts of his present Majesty, for providing clergymen to officiate in gaols and houses of correction within England and Wales.

49. To procure returns of persons committed, tried, and convicted for criminal offences and misdemeanors.

50. For the abolition of gaol and other fees connected with the gaols in England.

51. To amend an Act of his late Majesty King George the second, for the more easy assessing, collecting, and levying of county rates.

52. To revive and continue, until the 25th day of March 1820, several Acts for charging additional duties on copper imported into Great Britain.

53. To revive and continue, for one year, the duties and contributions on the profits arising from property, professions, trades, and offices in Great Britain.

54. To repeal an Act of the last session of Parliament, for establishing regulations respecting aliens arriving in this kingdom, or resident therein; and to establish, for twelve months, other regulations respecting aliens arriving in this kingdom, or residing therein, in certain cases.

55. To enable the commissioners of his Majesty's woods, forests, and land revenues, to contract for the purchase and surrender of crown leases, and to sell his Majesty's interest in the Thornhill estate, in the parish of Stallbridge, in the county of Dorset, and in certain small parcels of land belonging to his Majesty's subjects within the royal forests; and to remove doubts as to estates of the Crown, sold by order of the said commissioners, being exempted from the auction duty.

56. To authorize the commissioners and governors of the Royal Hospital for Seamen at Greenwich, to transfer a certain sum in the three pounds per cent. Consolidated Annuities, now standing in the name of the corporation of the Chest of Greenwich, into the name of the said commissioners; and also to receive such dividends as are now due upon such annuities.

57. To repeal the provisions of former Acts, granting exclusive privileges of trade to the South Sea Company, and to indemnify the said Company for the loss of such privileges.

58. For granting annuities to discharge certain Exchequer bills.

59. For amending an Act of his present Majesty, to insure the proper and careful manufacturing of fire-arms in England, and for making provision for proving the barrels of such fire-arms.

60. To repeal several Acts relating to the execution of letters of attorney and wills of petty officers, seamen, and marines, in his Majesty's Navy, and to make new provisions respecting the same.

61. To grant to his Majesty certain increased rates, duties, and taxes, in Ireland, in respect of windows, male servants, carriages, horses, and dogs, in lieu of former rates, duties, and taxes in respect of the like articles.

62. To grant to his Majesty certain increased duties of Excise in Ireland on malt.

63. To repeal the additional duty on British-made wine or sweets granted by an Act of this session of Parliament.

64. To explain and amend an Act of the 53rd year of his present Majesty, as far as relates to the granting gratuities to the East India Company.

65. To amend the laws relating to the Militia of Great Britain.

66. For allowing makers of oxygenated muriatic acid to take salt, duty free, for making such acid or oxymuriate of lime for bleaching linen and cotton; for repealing the Excise duties on Glauber salt, and on bleaching powder imported from Ireland; and to allow a further drawback on foreign brimstone used in making oil of vitriol.

67. To grant to his Majesty certain duties and taxes in Ireland, in respect of certain male servants, carriages and horses, kept to be let to hire.

68. To amend an Act of the 13th year of his present Majesty, for the amendment and preservation of the public highways, in so far as the same relates to notice of appeal against turning or diverting a public highway; and to extend the provisions of the same Act to the stopping up of unnecessary roads.

69. To regulate madhouses in Scotland.

70. For better regulating the formation and arrangement of the judicial and other records of the Court of Session in Scotland.

71. To regulate hawkers and pedlars in Scotland.

72. To fix the election for Glamorganshire at a central place within the said county.

73. For granting to his Majesty a sum of money to be raised by lotteries.

74. For granting annuities to discharge certain Exchequer bills; and for raising a sum of money by annuities, for the service of Great Britain.

75. To continue the encouragement of persons making discoveries for finding the longitude at sea, or other useful discoveries and improvements in navigation, and for making experiments relating thereto; and for discharging certain debts incurred by the commissioners of the longitude, in carrying the Acts relating thereto into execution.

76. To enable his Majesty, until the 1st day of May 1816, to accept the services of the Local Militia, either in or out of their counties, under certain restrictions.

77. To authorize, under present circumstances, the drawing out and embodying of the British and Irish Militia, or any part thereof.

78. To repeal the several duties under the care of the commissioners for managing the Stamp-duties in Ireland, and to grant new duties in lieu thereof.

79. To regulate the collection and management of the Stamp-duties on law proceedings, attornies, solicitors, proctors, and corporate officers in Ireland.

80. To provide for the collection and management of Stamp-duties on pamphlets, almanacks, and newspapers in Ireland.

81. To repeal the several Acts for the collection and management of Stamp-duties in Ireland, and to make more effectual regulations for collecting and managing the said duties in general.

82. To grant duties of Customs, and to allow drawbacks and bounties on certain goods, wares, and merchandize imported into and exported from Ireland, in lieu of former duties, drawbacks, and bounties; and to

make further regulations for securing the duties of Customs in Ireland.

83. To regulate the payment of the duties of Customs on foreign goods imported into Great Britain from Ireland, or into Ireland from Great Britain; and of the drawbacks on the exportation of goods the growth, produce, or manufacture of Great Britain or Ireland, having been imported into either country from the other.

84. To amend so much of an Act of the 33rd year of his present Majesty, as relates to fixing the limits of the towns of Calcutta, Madras, and Bombay; and also so much of an Act of the 39th and 40th year of his present Majesty, as relates to granting letters of administration to the effects of persons dying intestate within the several presidencies in the East Indies, to the Registrar of the Ecclesiastical Courts; and to enable the Governor in council of the said presidencies to remove persons not being British subjects; and to make provision for the Judges in the East Indies in certain cases.

85. To amend and continue for one year, and until twelve months after the termination of the present war by the ratification of a Definitive Treaty of Peace, two Acts of his present Majesty, for enabling subjects of foreign states to enlist and serve as soldiers in his Majesty's service; and to enable his Majesty to grant commissions to subjects of foreign states to serve as officers, under certain restrictions.

86. To continue, until the 25th day of March 1820, an Act made in the 46th year of his present Majesty, for permitting the importation of masts, yards, bowsprits, and timber for naval purposes, from the British colonies in North America.

87. To relieve certain foreign vessels resorting to the port of London in respect of pilotage; and to regulate the mode of payment of pilotage on foreign vessels in the said port.

88. To amend an Act of the last session of Parliament, for rendering more easy and effectual redress for assaults in Ireland.

89. To amend an Act of the 53rd year of his Majesty's reign, for making regulations for the building and repairing of court-houses and sessions-houses in Ireland.

90. To explain an Act made in the Parliament of Ireland, in the 32nd year of his Majesty's reign, relative to inland navigations there, so far as relates to the limitation of actions against canal companies and others.

91. For the payment of costs and charges to prosecutors and witnesses, in cases of felony in Ireland.

92. To amend an Act of the 50th year of his present Majesty's reign, relating to prisons in Ireland, so far as concerns contracts for building or repairing such prisons.

93. To repeal the duties payable on, and the permission to enter for home consumption, silk handkerchiefs imported by the East India Company.

94. To continue and amend several Acts relating to the British white herring fishery.

95. To repeal the duties payable on the importation into Great Britain of solid vegetable extract from oak bark, and other vegetable substances used in the tanning of leather; and to grant a duty in lieu thereof.

96. To grant a further sum of money for purchasing an estate to accompany the title of earl Nelson, and also to amend two Acts of the 46th and 53rd years of his present Majesty's reign for making such purchase.

97. To grant to the Judges of the Commissary Court of Edinburgh a fixed salary in place of their present salary, and certain fees and payments.

98. To enable the select committee on the Downpatrick election to re-assemble, and to suspend the transmission of the warrants and other proceedings for the appointment of commissioners to examine witnesses in Ireland.

99. To make further provisions for collecting and securing the duties of Excise on malt made in Ireland.

100. To provide for the collection and management of Stamp-duties payable on bills of exchange, promissory notes, receipts, and game certificates in Ireland.

101. To regulate the collection of Stamp-duties on matters in respect of which licences may be granted by the Commissioners of Stamps in Ireland.

102. To repeal certain duties on leather dressed in oil in Great Britain, or imported from Ireland.

103. To regulate the postage of ship letters to and from Ireland.

104. To make further provisions for the issuing of licences to persons to deal in, retail, make, or manufacture spirits and other exciseable commodities in Ireland, and for securing the duties of Excise payable by the persons so licensed.

105. To make further provisions for collecting and securing the duties of Excise on hides and skins tanned in Ireland.

106. To make further provisions for collecting and securing the duties of Excise on paper printed, painted, or stained in Ireland, to serve for hangings and other uses.

107. To regulate the appointment of governors of the Richmond Lunatic Asylum in Dublin.

108. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

109. To enable the sheriff depute or substitute and justices of the peace of the county of Blackmanan, to incarcerate persons in the gaol of the royal burgh of Stirling, or the common gaol of the county of Stirling.

110. For charging certain duties on sweets or made wines in Ireland in lieu of former duties.

111. For the better collecting and securing the duties on spirits distilled in Ireland.

112. For the better regulating and securing

the collection of the duties on paper made in Ireland, and to prevent frauds therein.

113. For altering certain drawbacks and countervailing duties on glass, for exempting Irish glass bottles from the duty imposed by an Act of the last session of Parliament, and for exempting the leather and glass of carriages belonging to certain persons imported from Ireland for private use from duty.

114. To augment the salary of the Master of the Rolls in Ireland, and to enable his Majesty to grant an additional annuity to such Master of the Rolls on the resignation of his office; and to regulate the disposal of the offices of the Six Clerks in the Court of Chancery in Ireland.

115. To carry into effect a convention made between his Majesty and the King of the Netherlands and the Emperor of all the Russias.

116. To make further regulations for the registry of ships built in India.

117. To permit, until six weeks after the commencement of the next session of Parliament, the importation into Great Britain and Ireland, in neutral vessels from states in amity with his Majesty, of certain goods, wares, and merchandize, and to prohibit the exportation of copper; and to permit the importation, in neutral vessels from states not in amity with his Majesty, of certain goods, wares, and merchandize.

118. To regulate the clearance of vessels, and delivery of coast bonds, at creeks and harbours in Great Britain; for exempting certain ships and vessels from being licensed by the commissioners of Customs; for authorizing officers of the Customs to seize spirits removing without Excise permits; and for preventing frauds in overloading keels and other carriages used in conveying coals for exportation, or to be carried coastwise.

119. To enable the trustees of turnpike-roads to abate the tolls on carriages, and to allow of their carrying extra weights in certain cases.

120. To provide for the taking an account of the population of Ireland, and for the ascertaining the increase or diminution thereof.

121. To amend and explain an Act, passed in the 54th year of his present Majesty, for maintaining and keeping in repair certain roads and bridges made in Scotland for the purpose of military communication; and for making more effectual provision for maintaining and repairing roads made and bridges built in Scotland, under the authority of the parliamentary commissioners for highland roads and bridges.

122. To amend an Act of the 53rd year of his present Majesty, for vesting in his Majesty certain parts of Windsor forest, in the county of Berks; and for inclosing the open commonable lands within the said forest.

123. For making compensation for lands and hereditaments taken for erecting works at and near Portsmouth and Hilsea, in the county of Southampton, in pursuance of an Act made in the last session of Parliament.

124. For raising the sum of 36 millions by way of annuities.

125. To amend an Act of his late Majesty King George the 2nd, for the relief of the out-pensioners of the Royal Hospital at Chelsea.

126. To authorize the allowing to foreign officers, allowances equivalent in amount to the half-pay given to British officers under the like circumstances.

127. To repeal an Act of the 53rd year of his present Majesty, for preventing the embezzlement of stores; and to extend the provisions of the several Acts relating to his Majesty's naval, ordnance, and victualling stores, to all other public stores.

128. To enable his Majesty to acquire ground necessary for signal and telegraph stations.

129. To increase the drawbacks and countervailing duties on tobacco, and to limit the tonnage of ships in which wine may be exported when duties are drawn back.

130. For further regulating the issue and payment of money to his Majesty's forces serving abroad.

131. For discontinuing certain deductions from half-pay, and for further regulating the accounts of the Paymaster general.

132. To continue, until the end of the next session of Parliament, an Act of the last session of Parliament, for regulating the trade in spirits between Great Britain and Ireland respectively.

133. To grant further powers to the commissioners of Chelsea and Greenwich Hospitals with respect to pensions on those establishments.

134. For altering the rate at which the Crown may exercise its right of pre-emption of ore in which there is lead.

135. To alter the conditions and regulations under which blubber and train-oil of Newfoundland are admitted to entry.

136. For the relief of the out-pensioners of the Royal Hospital of Kilmainham.

137. To prevent poor persons in workhouses from embezzling certain property provided for their use; to alter and amend so much of an Act of the 36th year of his present Majesty, as restrains justices of the peace from ordering relief to poor persons in certain cases for a longer period than one month at a time; and for other purposes therein mentioned, relating to the poor.

138. For vesting in his Majesty certain parts of the forest of Exmoor, otherwise Exmore, in the counties of Somerset and Devon; and for inclosing the said forest.

139. To grant an additional duty of Excise in Ireland, upon spirits made or distilled from corn or grain.

140. To make further provisions for the collection of certain duties on male servants, carriages, and horses; and in respect of houses in Ireland.

141. To amend an Act made in this session of Parliament to repeal former Acts granting exclusive privileges of trade to the South Sea Company, and to indemnify the said Company for the loss of such privileges.

142. To reduce the duties on all sheep-wool, the growth of the United Kingdom, which shall be sold by auction for the growers or first purchasers.

143. To amend the Acts relating to the building and repairing of county bridges.

144. To enable the commissioners of Customs and Port-duties in Ireland, to purchase premises for the erecting additional docks, warehouses, and offices, in Dublin.

145. To increase the allowance to the Post-office in Ireland, in respect of packet-boats to Great Britain.

146. To authorize his Majesty to regulate, until the 1st day of July 1816, the trade with any French colony which may come into his Majesty's possession, or remain neutral.

147. For enabling spiritual persons to exchange the parsonage or glebe houses or glebe lands, belonging to their benefices, for others of greater value, or more conveniently situated for their residence and occupation; and for annexing such houses and lands, so taken in exchange, to such benefices as parsonage or glebe houses and glebe lands, and for purchasing and annexing lands to become glebe in certain cases, and for other purposes.

148. For raising the sum of 4,500,000*l.* by Exchequer bills, for the service of Great Britain for the year 1815.

149. For raising the sum of 1,500,000*l.* by Exchequer bills, for the service of Great Britain for the year 1815.

150. For rectifying mistakes in the names of the Land-tax commissioners, and for appointing additional commissioners, and indemnifying such persons as have acted without due authority in execution of the Acts therein recited.

151. To amend the laws for imposing and levying of fines, in respect of unlawful distillation of spirits in Ireland.

152. For granting to his Majesty the sum of 20,000*l.*, to be issued and applied towards repairing roads between London and Holyhead, by Chester, and between London and Bangor, by Shrewsbury.

153. For granting certain rates on the postage of letters to and from Great Britain, the Cape of Good Hope, the Mauritius, and the East Indies; and for making certain regulations respecting the postage of ship letters, and of letters in Great Britain.

154. For fixing the rates of subsistence to be paid to innkeepers and others on quartering soldiers.

155. To continue, until the 5th day of July 1816, the temporary fourth part of the duties payable in Scotland upon distillers wash, spirits, and licences imposed by an Act of the 54th year of his present Majesty; and for enabling his Majesty, by order in council, to modify the operations of the said Act, or reduce the duties thereby imposed.

156. To amend the laws relative to the transportation of offenders; to continue in force until the 1st day of May 1816.

157. For the better examination of witnesses in the Courts of Equity in Ireland, and for empowering the Courts of Law and Equity in Ireland to grant commissions for taking affidavits in all parts of Great Britain.

158. To enable grand juries to present additional sums for constables in Ireland, and for the secure conveyance of prisoners.

159. To amend several Acts relating to hackney coaches; for authorizing the licensing of an additional number of hackney chariots; and for licensing carriages drawn by one horse.

160. For the encouragement of seamen, and the more effectual manning of his Majesty's Navy during the present war.

161. To amend and render more effectual an Act of the 52nd year of his present Majesty, to amend and regulate the assessment and collection of the assessed taxes, and of the rates and duties on profits arising on property, professions, trades, and offices, in that part of Great Britain called Scotland.

162. To repeal the Excise duties and drawbacks on Epsom salt.

163. To regulate the issuing of licences to allow open boats to proceed to foreign parts, and for revoking the same when necessary.

164. To exonerate, in certain cases, foreign spirits imported during the suspension of the spirit intercourse between Great Britain and Ireland, from the additional duty imposed thereon.

165. To defray the charge of the pay, clothing, and contingent expenses of the Disembodied Militia in Great Britain, and of the miners of Cornwall and Devon; and for granting allowances, in certain cases, to subaltern officers, adjutants, surgeons, mates, and serjeant-majors of Militia, until the 25th day of March 1816.

166. For defraying the charge of the pay and clothing of the Local Militia in Great Britain, to the 25th day of March 1816.

167. For defraying, until the 25th day of June 1816, the charge of the pay and clothing of the Militia of Ireland; and for making allowances in certain cases to subaltern officers of the said Militia during peace.

168. To explain and amend the laws relating to the Militias of Great Britain and Ireland.

169. To provide for the charge of the addition to the public funded debt of Great Britain, for the service of the year 1815.

170. To amend an Act passed in the last session of Parliament, for better regulating the office of Agent-general for Volunteers and Local Militia, and for the more effectually gulating the same.

171. To continue for one year certain Acts for the better prevention and punishment of at-

tempts to seduce persons serving in his Majesty's forces by sea and land, from their duty and allegiance to his Majesty, or to incite them to mutiny or disobedience.

172. To provide for the support of captured slaves during the period of adjudication.

173. For the better protection of the trade of the United Kingdom during the present hostilities with France.

174. To extend the exemption granted by law on coals and culm, for which the coast duties have been duly paid, on being again exported and carried to any place in this kingdom, to cinders or coked coals burnt from pit-coal, which has paid the coast duties.

175. To continue, until the 1st day of August 1816, two Acts of the 50th and 45th years of his present Majesty, allowing the bringing of coals, culm, and cinders to London and Westminster, by inland navigation.

176. For allowing certain tiles to be made, duty free, to serve for draining.

177. For the further prevention of frauds in the manufacture of sweets.

178. To revive and continue, until the 25th day of March 1820, an Act of the 28th year of his present Majesty, for the more effectual encouragement of the manufacture of flax and cotton in Great Britain.

179. To revive, amend, and continue, until the 25th day of March 1821, so much of an Act of the 41st year of his present Majesty as allows the use of salt, duty free, for curing fish in bulk or in barrels; and to repeal certain laws relating to the allowance of salt, duty free, for the North Seas and Iceland fisheries.

180. To revive and continue, until the 5th day of July 1816, an Act of the 46th year of his present Majesty's reign, for granting an additional bounty on the exportation of the silk manufactures of Great Britain.

181. For charging an additional duty on certain seeds imported.

182. To authorize the directors general of inland navigation in Ireland to proceed in carrying on and completing the canal from Dublin to Tarmonbury on the river Shannon.

183. To repeal the bounties payable in Ireland on the exportation of certain calicoes and cottons.

184. For repealing the Stamp-duties on deeds, law proceedings, and other written or printed instruments, and the duties on fire insurances, and on legacies and successions to personal estate, upon intestacies, now payable in Great Britain; and for granting other duties in lieu thereof.

185. For repealing the Stamp-office duties on advertisements, almanacks, newspapers, gold and silver plate, stage coaches, and licences for keeping stage coaches, now payable in Great Britain; and for granting new duties in lieu thereof.

186. For granting an additional sum of money for providing a suitable residence and estate for the duke of Wellington and his heirs, in consideration of the eminent and signal services performed by the said duke to his Majesty and the public.

187. For granting to his Majesty certain sums out of the respective Consolidated Funds of Great Britain and Ireland, and for applying certain monies therein mentioned for the service of the year 1815; and for further appropriating the supplies granted in this session of Parliament.

188. For enabling his Majesty to grant to John Francis Erskine of Mar, esq., and his heirs and assigns, the feu duties and quit rents arising in the lordship of Stirling, in discharge of a debt of greater value created upon the said feu duties by a grant from his Majesty King George the 1st.

189. For allowing Henry Meux, Thomas Starling Benson, Florance Thomas Young, Richard Latham, and John Newberry, to brew, duty free, a quantity of strong beer, the duty on which shall be equivalent to the duty on the beer lost, and to the duties on the malt and hops expended in the production of the beer so lost.

190. To amend an Act made in the 48th year of his present Majesty, to improve the land revenue of the Crown, so far as relates to the Great Forest of Brecknock, in the county of Brecknock; and for vesting in his Majesty certain parts of the said forest, and for inclosing the said forest.

191. To authorize the appointment of commissioners for erecting an harbour for ships to the eastward of Dunleary, within the port and harbour of Dublin.

192. To remove certain difficulties in the disposition of copyhold estates by will.

193. To enable his Majesty, until six weeks after the commencement of the next session of Parliament, to regulate the trade and commerce carried on between his Majesty's subjects and the inhabitants of the United States of America.

194. For better regulating the practice of apothecaries throughout England and Wales.

195. For exonerating the estates and effects of the late sir James Colebrooke, the late sir George Colebrooke, Arnold Nesbitt, sir Samuel Fludyer, Adam Drummond, and Moses Franks, and of their sureties, from all claims and demands whatsoever in respect of any contracts entered into with his Majesty's Government.

196. For enabling his Majesty to raise the sum of six millions for the service of Great Britain.

ADDENDUM.

THE EARL OF EGREMONT'S MOTION RELATIVE TO THE COURTS MARTIAL UPON CAPTAIN PHILIP BROWNE OF THE HERMES, COLONEL QUENTIN, &C. &C., *April* 20, 1815.

Since the Debate upon this Motion, which will be found in Vol. 30, p. 704, was printed off, the Editor has been favoured with the following detailed Report of the Earl of Egremont's Speech upon that occasion.

The Earl of *Egremont* rose and said:

Your lordships may possibly be surprised, that a person unconnected as I am with either of the military professions, should have undertaken to bring this subject under your lordships consideration.—As far as general inability to do that justice to any subject that an address to your lordships requires, I admit it, to the fullest extent; but I cannot admit any particular disqualification for this subject, in myself or in any noble lord, on account of his not belonging to those professions: on the contrary, if I could have chosen, I should have preferred to have seen it in the hands of one of the noble and learned lords;—accident has thrown it into mine; and I assure your lordships, that nothing but a strong conviction of the importance of the subject, and of the improbability of its being taken up by any other person, could have induced me to undertake it, attended as it is, to me, with many painful sensations, and with much difficulty, arising from the peculiar nature of the subject, and also from the misconception which I believe to prevail, in the minds of many persons, respecting my motives, and the object which I have in view. And if any noble lords should imagine, that I am actuated by any personal feelings, either of friendship or resentment, I trust that I shall succeed in convincing those noble lords, that they are totally mistaken: but upon such a subject,—involving as it does such various considerations, not merely of what is commonly called interest, but of interest of a far superior nature; of honour and character, and in such various stations of life, even up to the highest, and where most respect is due from all persons, and certainly from me, who have had, I trust I may say it without the imputation of vanity, much opportunity of knowing how truly that respect is due,—on such a subject, your lordships will feel how difficult it is to avoid the appearance of personalities, which I now disclaim, as totally foreign from my intentions in every place, and which would be highly improper in this House. I shall, therefore, endeavour to avoid all exaggeration of language, and to state the facts upon which I found my object, as shortly and as plainly as I can; and I cannot define my object better than by saying, that it is to rescue a set of men whose bravery has so often preserved the liberties of their country from a state of servitude, in a nation of freemen; for sir Edward Coke will inform us, that "it is one of the genuine marks of servitude, to have the law, which is our rule of action, either concealed or precarious. 'Misera est servitus ubi jus est vagum aut incognitum.'"

This language, as your lordships well know, is not mine: it is the language of Mr. Justice Blackstone, who also uses these words: "His Majesty may form Articles of War, and constitute Courts-martial, with power to try any crimes by such Articles, and inflict such punishment as the Articles direct. A vast and most important trust: an unlimited power to create crimes, and annex to them any punishments not extending to life or limb;" and, speaking of the Mutiny Act, he says, "Perhaps in some future revision of the Act, it may be thought worthy the wisdom of Parliament, to ascertain the limits of military subjection, and to enact express Articles of War, for the government of the army, as is done for the government of the navy."

Now, my lords, this suggestion is not directly applicable to the navy; but upon this I shall say more at another time. And with respect to the Mutiny Act, perhaps it may not be quite applicable to your lordships House; but I am not deterred by this objection, for I can see no reason why the regulation of the judicial code of the army and navy should not form a separate and independent act of parliament; and I am persuaded that a subject of this nature will be more maturely and temperately considered in this, than in the other House of Parliament.

The scene of public affairs has very much changed since I first mentioned this subject; and, instead of the hope of durable peace, we have now the gloomy prospect, either of actual war, or perpetual preparation, of the necessity of becoming, for our own defence, a military and armed nation; and, surely, this change must add very much to the necessity of improving the condition of our defenders; of placing them upon a footing more analagous to the spirit of the constitution, and better calculated to secure to them, their honour and their safety, and to us their fidelity and obedience. I will detain your lordships no longer by any general observations, but will proceed first to the naval part of the subject, as it will take least time, the business being already done to my hands: but as I believe I cannot regularly refer to documents not before your lordships, I must beg to be understood as stating the facts hypothetically, but undertaking to prove them true, if your lordships should accede to the motion which I shall make, for the minutes.

Captain Browne of the Hermes was tried in April, 1814, upon seven charges, totally distinct and different, both as to the nature of the offences, and the degrees of criminality attaching to them. The substance of the charges is as I shall now read.

1. "For abusing and offering to fight (*i. e.* box) on the quarter-deck of the Hermes, the master of a merchant-vessel.

2. "For drawing bills on the Commissioners of the Navy for the sum of 300 dollars (when at Buenos Ayres) under a fictitious name, for pilotage up and down the river Plate.

3. "For publicly calling the prosecutor a coward on the quarter-deck.

4. "For disabling his Majesty's ship Hermes, by striking two of the foremost guns into the hold.

5. "For telling the prosecutor, in answer to a remonstrance by him, that it was a falsehood, and holding him in derision.

6. "For acknowledging a false muster.

7. "For incorrectly charging the prosecutor with disputing his (capt. Browne's) authority, and the Commander-in-chief's when at Rio Janeiro, and suspending him from duty, and confining him in consequence."

I must now say a few words upon the nature of these charges, and the manner in which they were treated by the Court. The 1st, an act of intemperate passion, certainly blameable, and derogating from his own rank and station, by condescending to put himself upon a level with the master of a merchant-ship, but not affecting his character, either as an officer or a man of honour. The 2nd, a charge of the basest fraud, and deserving the severest punishment:—but upon this charge, the Judge Advocate told the Court, that it was impossible for them to proceed, for a reason stated in a letter from the Board of Admiralty; which reason was, that the bills for the pilotage, which were the foundation of this charge, were not arrived at the Navy-office, and could not be produced; and of course there was no proof of the fact itself, which was the subject of the charge. Notwithstanding this objection, the Court did proceed upon the charge; and very fortunate it was for capt. Browne that they did so, and that his defence from this accusation did not rest upon a technical objection, for he was most completely acquitted by the evidence: and I am confident, that there does not remain in the mind of any man, either of those officers who composed the Court, or of persons who have read the proceedings, the slightest suspicion of any guilt attaching to capt. Browne upon this charge. The 7th and last charge, was abandoned by the prosecutor; and the fact is, that there is not the slightest imputation of blame upon capt. Browne upon any of these charges, except the first, an act of intemperate passion towards this merchant captain—not arising from any personal ill-will, but from capt. Browne's eager solicitude for the safety of his own ship, which had been endangered by the obstinacy of the man in running on board the Hermes, notwithstanding the warnings of capt. Browne, which warnings were answered by the most contemptuous insult and abuse.

Now, upon these seven distinct charges, your lordships will certainly expect seven, or at least six (as the seventh charge was abandoned) distinct issues; but this is the sentence of the Court:—"The Court, having most maturely and deliberately weighed and considered the evidence in support of the charges, and what the prisoner had offered in his behalf, are of opinion, that the charges have been in part proved; and the Court does, in consequence, adjudge the said capt. Philip Browne to be dismissed from his Majesty's service."

Now, I really think that this fact requires no comment; but, at any rate, I feel that it would be very improper for me to detain your lordships with any observations of mine, when you have authority so infinitely superior within your reach—the opinion of the law officers of the Crown, sir William Garrow, and sir Samuel Shepherd. It is impossible for me to know precisely what their opinion has been; but I know the case—I know the ground I stand upon; and I know those honourable and learned gentlemen; and I shall rest with submission, but with confidence, upon their decision. I shall, however, take the liberty of reading, as part of my speech, a document which will take up but very little time.

"The proceedings of Naval Courts-Martial, as they are at present constituted, cannot reasonably be expected to adhere strictly to legal forms, or technical accuracy; all that can be looked for is, that the charges should be specific; and the proofs of each charge should be separately, as well as satisfactorily, made out. I say separately, because the Courts are bound to come to a decision on each; each being a distinct issue, on which they must decide. It is therefore essential to justice, that this should be observed in naval courts, because they have not the same advantage which attends a military court-martial where if any inaccuracy occurs (as the court is not dissolved), the sentence may be sent back for revisal, before the result is made public: but, where the sentence is divulged on the decision taking place, as in a naval court-martial, the prisoner is precluded from all redress, if it is irregular, except by the interference of authority, as far as goes to the restoration of those deprivations which such a sentence was calculated to inflict. Now, in the present case, it appears to me, that the prisoner has much to complain of; for he is accused of various offences of different descriptions. Some (as of false musters) are so criminal, that, if he had been adjudged intentionally guilty of them, on proper and undoubted proof, he would have been precluded from all hope of future employment; whilst others are of so inferior a nature, that, if guilty, a censure was the utmost to be deprecated: whilst this judgment is couched in terms so vague and uncertain, that it is impossible to collect whether he was found guilty of a part of every charge, or of some one, or more than one of whole charges, of which one is a part. If it means the former, it is in direct contradiction to the minutes, which state that the last charge was abandoned, and for reasons which must have acquitted the defendant;—again, if it means the latter, it is ambiguous and uncertain to which of the charges it is to apply, for it is as applicable in terms to that which was not tried, or to any of which they thought him not guilty, as to any others; and it would only prove, that they perfectly acquitted him of some, by only finding him guilty of a part. The judgment, therefore, is so vague and uncertain, on a subject which imperatively calls for the utmost certainty, that I do not feel how the sentence founded on it can be consistently enforced. Having thus stated my impression on the case, I do not feel it necessary, nor would it become me, to analyze the evidence, in order to guess on what part of it the Court formed their decision; for, after all, it would be but guessing. I shall therefore content myself with stating my opinion, after attending with all the care I am capable of bestowing on the evidence, as applicable to the charges as well as to the sentence, as founded on that application, that it is informal, irregular, and illegal; notwithstanding which I cannot, from the nature of the subject, point out any mode in which capt. Browne can procure redress. The only amends he can look to, must be found in the justice and honourable feelings of the Board of Admiralty, in whose power it lies to restore the situation he has been deprived of; and to the prevention of which, I can perceive nothing on the face of the proceedings: to that tribunal he will have a right also to submit any of those facts, which, although capable of proof, did not occur to his recollection at the time of the trial."

This is the opinion of an eminent Barrister.

I will not detain your lordships with any observations upon the trial of Mr. Lazarus Roberts; or the order issued by the Board of Admiralty, in consequence of that trial; but I hope it is unnecessary for me to assure the noble lord at the head of the Admiralty that nothing can be further from my intention than any thing like hostility to him; on the contrary, if the object of that order is, as I believe it to be, to put a stop to the irregularities which have taken place in both these trials; and if the order is founded upon a reference to the opinion of the Crown lawyers on capt. Browne's case, the conduct of the Board of Admiralty has—what is certainly of little value—but it has my warmest approbation. I have taken up this subject solely upon public grounds, and without any reference to the interests or character of any individual; but it has been suggested to me (what certainly would have given me great pain, if I could have believed it to be true), that I am injuring a gallant officer, capt. Browne, and placing a perpetual bar to his restoration to his rank in the service, by this interference in Parliament: but I could not, consistently with my opinion of the duties and dignity of this House—I could not, consistently with my opinion of the justice and honour of the noble lord, allow myself to hesitate for a moment upon such a suggestion. I should very ill support the high respect which I profess for the character of the noble lord, if I could admit, that any imprudence of mine (if imprudence it should turn out to be), could obstruct the course of that noble lord's justice to a gallant officer, who deserves his restoration as much as several officers now high in the service (I will not recall their names upon so invidious an occasion, but the noble lord will understand me, and I assure him that I very much approve of their restoration), who have been broke for similar acts of rashness, and invariably, and very properly, pardoned and restored.*—These officers are men of high rank and connexions, and in one or two instances were recommended for mercy by the Court; but the first of these circumstances will, of course, have no weight with the noble lord, and I cannot consider the recommendation of one of these Courts at all equivalent to the opinion of the law officers of the Crown. I must observe, that in the circumstances of these trials, the mind of man cannot suggest the possibility of any undue motive or bias in the members; and in addition to this, I have the surest pledge of their integrity in the high character and known honour of a particular friend of my own, admiral Otway, the president on captain Browne's Court-martial—an officer who has fought in five-and-twenty battles, honoured in his profession, and beloved in society; and of whom it is impossible for me, or any man who knows him, to speak but in the highest terms of esteem, affection, and respect.

But, if such men, with the best intentions, good understandings, and considerable information upon other subjects, are upon this subject liable to errors of such fatal consequence to their brother officers, and which will recoil upon themselves, if the accidents of life, beyond the reach of human prudence, should render them amenable to such a court: and if these errors arise from the defects and obscurity of the law; how forcibly does it call upon your lordships, to correct those errors, and that obscurity, and to protect these brave men from the heavy but unavoidable misfortune of committing injustice, as members of the court, and of enduring it as prisoners, if accident should bring them into that situation?

With respect to the military part of the subject, your lordships may, perhaps, suppose, that it was first suggested to me by the peculiar circumstances of colonel Quentin's trial; but the fact is otherwise: my attention was drawn to it some years ago, by no less than two law-suits, which, as commanding officer of a militia Regiment, I felt it to be my duty to undertake, at my own sole expense and trouble, and by which I had the good fortune to counteract the effects of the sentence of a Regimental Court-martial, certainly given with the best intentions, but erroneous, and subversive of the first principles of military discipline. Upon subsequent inquiry among military men, I have reason to believe that there is no part of military duty so much neglected, and so ill executed as this of the Regimental Court-martial; arising, I believe, from the neglect of impressing upon the minds of officers, the importance of the duty, and the want of some rules of evidence, and of forms by which that duty is to be properly executed; and I believe that this inconvenience alone, though much the least important part of the subject, is of an extent sufficient to deserve your lordships attention.

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* Captain Browne has been reinstated in his former rank in the service.

I will now proceed to the Court-martial upon colonel Quentin; and, my lords, having been upon the spot at Brighton, at the beginning, and during the progress of this unfortunate business, intimately acquainted with many officers of the 10th Hussars, and privy to their most secret thought in that transaction, I trust your lordships will give me credit when I assure you, that there never were men animated with a purer sense of honour, with more zeal for their duties, or with more gratitude and attachment to their Royal Colonel; and if they have erred, it has not been from malice, or from party, but from a too eager desire to shake off reproach from their corps, and to preserve themselves worthy of the high distinction with which he had honoured them. But if, with this connexion with that regiment, it should be thought that I have felt any particular regret at the result of that Court-martial, I can assure your lordships that it is far otherwise; and, although I could not have wished for any young officer a more brilliant destination than to have served with those honourable men in that glorious campaign, which began in Portugal and ended at Thoulouse, I have felt for many years, and I have felt it in common with many other persons, that the honour with which that regiment is distinguished, is dearly purchased; and particularly in peace. I do not mean dearly, in the usual sense, or to allude to the inconvenient and expensive frippery with which the Hussar regiments are disfigured and encumbered, but dearly purchased by various circumstances, arising out of that honourable distinction which I will not detail; but will only say that, but for that honourable distinction, I should never have had to trouble your lordships about any Court-martial upon colonel Quentin.

And here I cannot refrain from submitting to your lordships—and I wish it had been done, and successfully done, twenty years ago, for the comfort and happiness of an illustrious personage to whom no man is more attached than myself, or more solicitous for his happiness and comfort—whether it is consistent with the impartiality due to the army, that any one regiment should be distinguished by having the Sovereign for their colonel; whether it is consistent with the dignity of the Sovereign, that he should be liable to be intermixed in the details, and possibly the disputes of a regiment; whether it is consistent, either with dignity or propriety, that he should have the possibility, and therefore be liable to the suspicion of knowing confidentially, as the colonel, what he will have ultimately to decide upon, as the Sovereign? I stated to your lordships, that the mind of man could not suggest any motive for an undue bias in the members of the Naval Court-martial: I regret that I cannot say the same in this upon colonel Quentin; but it is very unfortunate, that the errors of those honourable men who composed that Court, have coincided with the known inclinations of the Sovereign—the fountain of all military favour and reward; but I am sure that the candour of your lordships minds will agree with mine in repelling any such suggestion. I know nothing of motives; I impute none; and, if from the want of that correctness of language, which nothing but the habit of public speaking can give, any word should escape me, capable of such a construction, I now declare that it is not mine; and I shall be much obliged to any noble lord who will call me to order, that I may immediately retract it: and here I beg to be understood, that, by the known inclination of the Sovereign—for known it is, and it would be folly to attempt to doubt, or deny it—I was far from meaning any improper inclination, or a wish to bias the Court, but that regard which is due from a prince to an old and faithful servant, a very worthy man, and a very good officer, I believe, as far as his experience and ability could go, and very useful to his health and his amusement; but this regard, as well as feelings of an opposite nature, are known in all periods of history to have been very much misinterpreted, not by such honourable men as composed this Court, but by interested and unprincipled sycophants, greedy of the emoluments which power can bestow. But when I have heard colonel Quentin described as an old officer, worn out in the service, I look to facts, certain and undeniable; and there is not a subaltern who marched with the regiment from Portugal to Thoulouse, who has not seen more service before the enemy, than colonel Quentin; more in point of time, as much as the march to the 26th of July, when colonel Quentin joined, exceeded the short campaign of ten weeks under sir John Moore, and more in importance of events, as much as the affair of Morales, and the decisive battle of Vittoria, exceed the engagements at Benevente and Majorca; for these are the only instances in which colonel Quentin was ever engaged, before the last campaign, notwithstanding the accidental inaccuracy of some of the witnesses, from which a contrary inference might be drawn. But without calling upon your lordships candour, I desire, for the sake of my argument, that none but the purest motives may be imputed; for it is not against perjury and self-interest, and those base motives which degrade human nature, and baffle the means of justice, however wisely constructed, that I wish your lordships to legislate, but against ignorance and error; and if the most honourable, the best-intentioned men, and well informed upon other subjects, are not exempt from these defects, under the present system of military law, how much will it strengthen my argument to induce your lordships to revise that law?

My lords; the 1st Charge is, "That on the 10th day of January, 1814, the regiment being on that day on duty, foraging in the valley of Macoy in France, colonel Quentin, having the command of the regiment, did not make the proper and timely arrangements, to ensure the success of the regiment, in its operations of foraging, although directed so to do by the brigade orders of the 9th January, 1814, but neglected and abandoned his duty as commanding officer, leaving some of the divisions without orders or support, when attacked by the enemy, whereby some men and horses of the regiment were taken prisoners, and the safety of such divisions hazarded: such conduct on the part of the said colonel Quentin, evincing great professional incapacity; tending to lessen the confidence of the soldiers of the regiment in the skill and courage of their officers; being unbecoming and disgraceful to his character as an officer, prejudicial to good order and military discipline, and contrary to the articles of war."

And the sentence of the Court is—"That Colonel Quentin is guilty of so much of the first charge as imputes to him having neglected his duty as commanding officer, by leaving some of the divisions without orders when attacked by the enemy, but acquit him of the remainder of the charge," and then, they do only adjudge, with reference to the first charge, 'that Colonel Quentin be reprimanded, 'in such a manner as the Commander-in-'chief shall be pleased to direct:' a very light punishment—and by their words, 'do only adjudge,' it was evidently their intention, that it should be light. To my mind, the evidence clearly establishes another part of this charge, the want of proper and timely precautions to ensure success. But this is of little importance, compared with that part of which the Court have found him guilty. The facts which are proved, and I will state them shortly, and without aggravation, are these:—That Colonel Quentin commanded the regiment upon a foraging party; that a part of the regiment, while foraging, was attacked by the enemy; that, soon after the firing began, Colonel Quentin marched off, with a little more than one-half of the regiment, leaving a little less than the other half exposed to the fire of the enemy, still under the order for foraging, and ignorant of his departure; that he went away, without giving or sending any orders, or any notice to the troops under fire, leaving them to chance, and their own discretion: and it is remarkable, that the officers thus left were some of the youngest in the regiment; to whom it has since been objected, and against whom it has operated as an aggravation of their offence, and of their punishment, that they were too young and inexperienced to judge for themselves—that he was not ignorant of the danger to which he left them exposed, which is proved from his own mouth, in various instances, in which, after a retreat of two miles, beyond the reach of danger to himself, or of assistance to them, he expressed his anxiety for their safety; that he himself led the column to the rear. And I am not afraid to put myself at issue with the best cavalry officers, when I say, that this was a situation unfit, or at least very unusual, for the commanding officer, upon a principle established by all the regulations for the movements of cavalry, founded upon sound reason, and with a reference to actual service, and of such obvious use that no man can misunderstand it, that the place of the commanding officer is, upon advancing, in the front, and upon retreating, in the rear; *i. e.* in the place nearest to the enemy, where alone he can judge of the means and opportunities of safety to his own troops, and of annoyance to the enemy:—and, although circumstances may frequently arise, which may require a deviation from this rule, still it is a deviation, and exception, from a general rule, and there must be circumstances to justify it; and circumstances capable of explanation; but no such explanation has been given. These facts are admitted by the language of the sentence; and I can only account for the mitigation of the punishment, by supposing it to arise from a misconception, which I know to prevail in the opinion of many officers, and I believe did in the opinions of some of the members of this Court—and this is, that they ought not to affix any high degree of punishment, unless they can convince their minds that the misbehaviour has arisen from one particular motive, and this motive is cowardice. Facts may be proved; but it is almost impossible to be certain of motives; and, in my humble opinion, the crime (I speak in the abstract) is that misbehaviour which is detrimental to the public service, by obstructing the success of the operation, whatever it may be, or by endangering the safety or injuring the character and reputation of the army, from whatever motive it may have arisen: but the word 'cowardice' is not to be found in the charges; it is not even to be found in the Articles of War; and I shall now desire your lordships attention to the different manner in which this subject is considered by the naval and the military law. The expression in the military article is simply, 'misbehaviour before 'the enemy,' without mention of motive, or of any circumstance whatsoever; the naval expression is, 'cowardice, negli'gence, or disaffection in action.' If the naval definition of motives is preferred, there can be no doubt that all possible motives ought to be included, and there is one, of known effect in all periods of history, as far as motives can be known—private ill-will and malice against individuals, generally against the commanding officer;—to these may, perhaps, be added an expression lately introduced into military law—'error in judgment:' but that expression appears to me to be too vague and indefinite, as its value must depend upon the combined result of the importance of the object which has failed by that error, and of the difficulty of the case upon which the judgment is to be formed. Error in judgment may be a fair excuse for inferior officers, sent upon services which they have not sought, and may perhaps dislike; but I cannot help saying, that, where commands are given to Generals, as favours solicited by them, they are bound to find a sufficient stock of judgment for the occasions which they have solicited and sought. There can be no doubt that cowardice is a complete disqualification for the military profession; but it would only be to waste your lordships time and my own, if I were to use any arguments to show, that disaffection to the state, treason, or envious malice—crimes of the blackest dye, and which the mind has the power to resist—deserve a much higher degree of punishment than cowardice, an involuntary weakness of nature, irresistible, and approaching nearer to that general excuse for all crimes—mental derangement—and therefore rather deserving of compassion than of punishment. In the word 'negligence' there are very different degrees of blame: the negligence of brave, but rash men, by which they expose themselves, and the troops under their command, to unnecessary and useless danger, is certainly very blameable, and very injurious to the service; but, when the negligence of the safety of others, is coupled with perfect security to their own persons, it assumes a very different character, and such as I will not describe, because I cannot do so without epithets which I do not wish to use. I do not pretend to say which of the definitions is the best, the naval or the military; but as they are essentially different, though describing precisely the same thing, it is not probable that there should not be a preference between them; and it must be very desirable that they should be the same in both professions, and that officers should be made to understand, that the misbehaviour is the crime to which the punishment is due, whether arising from cowardice, or from any of the malignant motives, among which I class wilful negligence, such as I have before described to your lordships.

The second and third Charges are as follows:

"2nd. That the said Colonel Quentin, having the command of the regiment, after the battle of Orthes, viz. on the 28th of February 1814, on the high road leading to St. Sever, in front of the village of Hagelman, department de Landes in France, and the regiment being on that day engaged with the enemy, he, the said Colonel Quentin, did not, previously to, or during the period the regiment was so engaged, make such effectual attempts as he ought to have done, by his presence, and his own personal exertions and example, to co-operate with, or support the advanced divisions of the 10th Hussars under his command, but neglected and abandoned his duty as commanding officer, and thereby hazarded the safety of those divisions, and the character and reputation of the regiment; such conduct, on the part of the said Colonel Quentin, tending to lessen the confidence of the soldiers in the skill and courage of their officers, being unbecoming his character as an officer, prejudicial to good order and military discipline, and contrary to the Articles of War."

"3d. That on the 10th day of April 1814, during the battle of Thoulouse, in France, the said Colonel Quentin, having the command of the regiment, and the regiment being on that day in the presence of, and attacked by the Enemy, he the said Colonel Quentin did not, during such attack, make such effectual attempts as he ought to have done, by his presence and his own personal exertions, to co-operate with or support the advanced divisions of the regiment under his command, but neglected and abandoned his duty as commanding officer, leaving some of the divisions, when under fire from the enemy, without orders, and thereby unnecessarily hazarding the safety and reputation of those divisions; such conduct, on the part of the said Colonel Quentin, tending to lessen the confidence of the soldiers of the regiment in the skill and courage of their officers, being unbecoming and disgraceful to his character as an officer, prejudicial to good order and military discipline, and contrary to the Articles of War."

Upon these charges the evidence does not convey to me the same result that it appears to have done to the Court. I say appears, because I cannot bring my mind to any certainty as to their real opinion upon these charges, as I shall explain to your lordships presently. Upon the second charge, I shall only observe, that if it did not occur to these officers to attribute the backward situation in the attack of colonel Quentin,—one of the best riders in the world, with excellent horses, and in excellent condition,—to the defect of his horsemanship, or his horse, it appears to me to have been a very natural and a venial error; and if they have erred respecting the propriety of that backward situation, that error is certainly a venial one, for they were led into it by the Prince Regent himself, who had but a few weeks before most properly rewarded their own major (major Robarts) with the rank of lieutenant-colonel, for his conduct at Morales; for a conduct directly opposite, in circumstances nearly similar: for encouraging the men, not with his voice, but by his example; for heading the charge, himself the leading man of the leading squadron. And upon the third charge (in the battle of Thoulouse), if those officers who saw colonel Quentin in front just before the firing began, and who did not see him when it did begin, (although the front was not longer than the width of this House), and who heard major Howard send lieutenant Wyndham to the general for instructions, (left as he was, without notice or orders, in the most difficult situation for cavalry, standing still under a heavy fire,) should think such an abrupt disappearance ill-timed and improper, it may be an error; but I cannot think it an error deserving the severe reproof that has been thrown upon them. But with respect to these charges, my objection is to the language of the verdict. Till this unfortunate trial, it has been invariably the custom that the sentence of acquittal should end with these words, 'that the prisoner is not guilty of the charge, and is acquitted,' or is 'honourably acquitted;' and unless the word 'honourably' was added, it was not understood to be that sort of acquittal which completely restored the prisoner to his former reputation and character, and it therefore justified the prosecution. I know that this example has been followed in a subsequent Court-martial; but to this I feel no objection, and I am doubtful whether it is desirable to leave that discretionary sentence to the option of the Court: but I am convinced that it is essential to the ends of justice, that there should be a fixed form of words for the sentences, and that the Court should not have the power to evade and to sink a part of them, as has been done for the first time upon this occasion. Upon these two charges, the sentences are only—that colonel Quentin is not guilty: the prisoner was not honourably acquitted upon these charges; and it is now impossible to know whether that omission was intentional or accidental; but if your lordships would relieve the members from their oaths, I have great doubts whether the majority of them, or perhaps any of them, would subscribe their names to the words 'honourably acquitted.'

Before I begin the fourth Charge, I must say a few words upon a principle which indeed belongs to them all, and which throws a heavy responsibility upon the members of these Courts, if they do not pay the most minute attention to every particle of evidence, and to every syllable of applause or censure which they may apply to any of the parties before them, whether prisoner, prosecutor, or witness; a principle so opposite to the benignant spirit of justice in our other Courts, which rejoices when she can abstain from punishment; but here the sword of justice, like the enchanted sword of Angantir, is never drawn but it slays a man, and if the enemy escapes, destroys a friend; if it cannot reach the prisoner, exterminates the prosecutor and the witnesses; but with this advantage to the prisoner, that he has the means of defence, whereas the other parties are condemned, undefended, and unheard; they are like buckets in a well, in the proportion as one sinks the other rises—not by any properties of his own, but by the simple operation of the gravity of the body opposed to him; and I cannot conceive any thing more likely to destroy all truth and fairness, and to confound the means of justice, than the sort of *bellum internecinum* which this principle establishes among all the parties—prisoner, prosecutor and witnesses.

The fourth Charge is, "for general neglect of duty, by allowing a relaxed discipline to exist in the regiment under his command when on foreign service, by which the reputation of the regiment suffered in the opinion of the Commander of the forces, and of the Lieutenant-general commanding the Cavalry; their displeasure having been expressed or implied in a letter from the Adjutant-general of the forces, addressed to major-general lord E. Somerset, commanding the Hussar brigade, dated on or about the 29th of March, 1814, and in the orders of the Lieutenant-general commanding the Cavalry, dated the 26th February, 1814; such conduct, on the part of the said Colonel Quentin, being unbecoming his character as an officer, prejudicial to his Majesty's service, and contrary to the Articles of War."

Upon which this is the sentence of the Court:—"With respect to the fourth Charge, the Court are of opinion, that a relaxed discipline, as set forth in that charge, did exist in the regiment under Colonel Quentin's command, whilst on foreign service, during the period alluded to in the letter and orders referred to in the charge; and as they cannot but consider the commanding officer of a regiment to be responsible for such relaxation of discipline, they therefore think themselves bound to find Colonel Quentin guilty, to the extent of allowing it to exist; but as they consider the letter from the Adjutant-general to the troops on the Continent, of March 30, 1814, expressing the displeasure of the Commander of the forces, as a reprimand to Colonel Quentin, adequate to the degree of blame which attached to him, the Court do not feel themselves called upon to give any sentence upon this charge in the way of further punishment; and they consider that any thing unusual in this determination will be explained, by the singularity of the circumstances attending this charge, by which an officer is put upon his trial for conduct which had before been the subject of animadversion, by those under whose command he was then serving, but which, at the time, was not considered deserving of a more serious proceeding by the Commander of the forces; nor does it appear to have been made the subject of any remonstrance, or request for a more serious investigation, on the part of the officers of the regiment."

I must first observe, that out of four Charges, two have been proved; and upon the other two, the prisoner has not been honourably acquitted. I shall now call your attention to the statement of the Court respecting the letter of the Adjutant-general, which they allege to be a sufficient punishment already undergone, and therefore their ground for not inflicting any further punishment upon the prisoner; which remission of punishment by the Court affords, according to the present practice of military law, a pretence for punishment to the other parties; and for this purpose it is necessary that what they consider to be the punishment already undergone, should be represented to have been as severe as possible; and I beg your lordships to observe the great inaccuracy of their language, in calling this letter, a letter to the troops on the Continent, which certainly means a letter in General Orders to the duke of Wellington's army, then consisting of from 80 to 100,000 men. I will now show your lordships what such a letter really is.

General Order.

Horse Guards, 10th Nov. 1814.

"His royal highness the Commander-in-chief has been pleased to direct that the following copy of a letter, containing the opinion and sentence of a general Court-martial, recently held for the trial of Colonel George Quentin, of the 10th or Prince of Wales's own Royal Regiment of Light Dragoons, and the Prince Regent's pleasure thereon, shall be entered in the General Order books, and read at the head of every regiment in his Majesty's service.—By command of his royal highness the Commander-in-chief,

"Harry Calvert, Adjutant-general."

This is a letter to the troops in England; as severe a punishment as can be inflicted upon men of honour and feeling; but what was, in reality, the letter which these gentlemen so negligently call a letter to the troops on the Continent? That letter was sent to lord Edward Somerset, who commanded the brigade, as a private admonition and reprimand to the 10th Hussars, was so read to them, and never was, nor was intended to be communicated to any other corps or man in the army; and that letter, which ought to have been a strong corroborative of the proofs against the prisoner, is converted, by the strangest perversion of all reason and justice, into a pretence for screening him from all punishment; and the consequence of this is, that it takes the punishment from the man who had deserved and received the censure of the duke of Wellington and lord Combermere,—the only competent judges of their respective merits,—and throws it upon those who had deserved and received their praise.—I shall now read that part of the letter which is applicable to this subject:

"I am commanded by my lord Wellington to take this occasion of mentioning, that the complaints are so general against the 10th Hussars, and so extremely discreditable to the regiment, and prejudicial to the interests of the army, that it is requisite you should immediately adopt measures to re-establish that discipline which is necessary to good order, but which has been allowed to relax in an unpardonable degree, under the command of lieutenant-colonel Quentin. Your lordship will be so good as to communicate to the lieutenant-colonel, the Field-marshal's displeasure at having to notice irregularities it was in his power to have prevented; and that a recurrence of such breach of regulation and good order, will convince his excellency, that colonel Quentin is unequal to control a regiment of the first pretensions."

I shall say no more, except, in the words of lord Clarendon, to express my surprise, "that a circumstance of high aggravation should be applied to the mitigation of a censure that ought to be the more severe, nay, even to constitute such an innocence as is not worthy of censure."

I now come to that part of the sentence in which the Court say, that "there appears to have existed such a want of co-operation among the officers of the regiment, as to render the duties of the commanding officer much more arduous than they otherwise would have been." I do not clearly understand the meaning of these words; but I suppose it to be a want of co-operation with colonel Quentin, since one of the complaints against the officers is, a too great co-operation among themselves: but whatever the intended meaning may be, I maintain that there never was an assertion more destitute of foundation, and less supported by any evidence or proof whatsoever. There is proof abundant that the officers were zealous to do their duty; that they urged colonel Quentin to support them in their duty; but there is not the shadow of proof that they ever disobeyed him, or neglected to co-operate with him in the execution of his duties, or in any branch of the service. I have heard this subject discussed in another place; and the only allegation in support of this accusation was, a neglect of reporting to colonel Quentin. Now, I will venture to assert, that there are only two instances of this supposed neglect in the whole evidence, one is, colonel Palmer not reporting to him that the surgeon of the regiment, Mr. Morrison, (not officially, but in accidental conversation,) had told him, that in answer to a letter of inquiry from the head of the medical staff, he had written word, that the great sickness in the regiment arose from relaxed discipline, and consequent intemperance: a report which, I believe, colonel Palmer was not at all bound to make, and which, if he had made it unnecessarily, would have borne the appearance of an intended insult to colonel Quentin. The other is to be found in the answer made by captain Harding: "I certainly felt it useless on many occasions to report, finding that I was not supported:" an answer which carries within itself an excuse for captain Harding, and a reproach upon colonel Quentin. But admitting, for the sake of argument, these two instances to the fullest extent of blame; did ever any man advance such a proposition, as that a crime proved upon only two men, should implicate three-and-twenty others? And out of these, thirteen were subalterns, who could not report to the colonel; it would have been a breach of duty if they had done so; and one, a captain Synge, who had served during the war on the staff with general Pack, had seen ten times more service than colonel Quentin ever had; wounded, maimed for his life; and who is now implicated in a censure for want of co-operation in duties with which he had nothing to do!

I must add a few words of comparison between the different testimonies upon which the Court have founded their opinion. All those who were upon the spot, whether as generals commanding, or as spectators, and witnesses of the conduct of the regiment; the noble lord who commanded the cavalry; lord Edward Somerset, who commanded the brigade; colonel Gardiner; major Jones; all speak in the highest terms of praise of the officers and very differently of colonel Quentin. I will read two or three very short extracts, but will first call your attention to those words of the sentence, where, in speaking of the relaxation of discipline, the Court says, that they think themselves bound to find colonel Quentin guilty, to the extent of allowing it to exist; as if there were some crime beyond that of allowing it, which a commanding officer could be guilty of, as if he could act the indiscipline of a regiment himself, in his own person. Lord E. Somerset said: "I had every reason to approve of the general conduct of the officers; they appeared to be zealous and attentive to their duty:" and again, "the officers of the 10th Hussars seemed generally attentive to their duty; but of course, where the system of discipline is relaxed, it will extend to all ranks more or less:" and then being asked to what he attributed this relaxation of discipline, his answer is, "I certainly attribute it to the want of a proper system being maintained by the commanding officer, and the want of proper activity on his part." I will now read the evidence of lord Combermere: "I think I told him," (lord E. Somerset) "that as there was no amendment, or likely to be in the 10th, that I should write home on the subject, stating that colonel Quentin, from a bad state of health, or some cause, appeared unfit to command a regiment of light cavalry on active service; but the war being over a few days afterwards, I did not think it necessary to take any further notice. I cannot recollect the whole of the conversation; I said a great deal more to him." And here I must observe, that this passage affords a complete answer to that reproach which has been thrown upon the officers, that their accusation of colonel Quentin was the deliberate issue of a long and extraordinary delay, for which no sufficient reasons or explanation have been given; for here it appears, that the officers had reason to expect that the accusation would have been brought forward in the proper and regular mode by the General commanding the Cavalry, and that nothing but the unforeseen circumstance of the sudden cessation of hostilities prevented that general from doing so; but although the cessation of hostilities was a sufficient reason for the noble lord's forbearance, your lordships may easily conceive that the feelings of officers, labouring under reproach which they did not deserve, for offences of which they were innocent, which they knew and deplored, but could not prevent, were not to be so easily satisfied, and could not be endured in silent acquiescence. He again says: "I thought colonel Quentin was in a bad state of health, that probably it was owing to that, but that he did not appear fit to command a regiment of light cavalry on active service. I had an opportunity of seeing a great deal of the officers of the 10th in quarters and in the field, and I must say, I never met with a finer corps of officers, and I do not think there were ever officers better disposed or more zealous, or officers I should like better to command than the officers of the 10th Hussars: that is my reason for thinking still, that it was not their fault, but the fault of the commanding officer, that the regiment was not in the high state of discipline which it ought to be latterly."

This testimony coming from such a source, no less than that highly distinguished officer who commanded the cavalry under the duke of Wellington, is a compensation for the injuries which have been inflicted on them; a protection from the disgrace which was intended for them; the safeguard of their character; the consolation of their misfortune: it will stand for ever a monument of honour to them, and of reproach to the Court, whose total disregard of such testimony must present to your lordships a strong argument for revising the construction and the proceedings of these tribunals.

On the other hand, what is the evidence for col. Quentin? Campaigns at Hounslow, and at Ipswich; generals who never heard a shotted gun; a captain who remembers col. Quentin, but forgets col. Leigh at Majorca; but not one officer who had been present at the events which are the subject of this Court-martial. But from this nonsense, only fit for the Mayor of Garrat, there is one brilliant exception—the noble lord who commanded the cavalry under sir John Moore in 1808, and whom I shall ever respect for that gallant spirit which at the first call of his country's danger tore him from the charms of a society, where every thing conspired with his own personal qualities, to allure him from the paths of glory to those of pleasure, and who, as well as another noble friend of mine, in circumstances somewhat similar, whom your lordships must be proud to see among you, by the native energy of their own characters, have attained the highest celebrity in a profession to which they had not been destined. But to what indignity was that noble lord exposed, by the blunders of this Court! no less than to have the testimony which he gave on one day, expunged from their minutes on the next; a testimony not voluntarily given, but extorted from him,—and by whom? no less than the President himself, and in these words, "Will your lordship relate the particular circumstances of the conduct of col. Quentin in the affair of Benevente? They have been related to me as particularly meritorious,"—and, as if every sort of absurdity was to attach to the proceedings of this Court, it so happens that this affair at Benevente was the only thing which it was unnecessary, and therefore improper, for the noble lord to describe at all, not only upon the new and unintelligible principle, respecting the cross-examination of witnesses to character, broached for the first time upon this trial, but upon the soundest principles of evidence in our courts of law—for there is now extant the official document, the letter of that noble lord, as commander of the cavalry, detailing all the circumstances of that engagement; published in the Gazette, accessible to all your lordships, and open to the prisoner; who might have produced it in his defence if he had thought proper; and the authority of such a letter, written at the time, and upon the spot, must be infinitely beyond that of the best recollection after the lapse of six or seven years. I should not have mentioned what I am now going to say, if the Court had confined themselves to the bare sentence, whatever it might have been; but as they have added mitigations, founded upon a variety of circumstances, I cannot but think that they ought to have given due weight to all the circumstances connected with the transaction; and is it a circumstance of no consequence, that col. Quentin subpœna'd for his own witnesses, officers of the regiment who were present at these transactions—major Howard and col. Wyndham;—both friends of his own, but men of honour, and who would have spoken the truth, but whose mouths, though present and in attendance, he did not think proper to unseal, but trusted the defence of his honour to the varying and contradictory testimony of non-commissioned officers and private soldiers. Major Howard had been present, and close to him upon most of the occasions which are the subjects of the charges; and col. Wyndham had served with the regiment under col. Robarts, and for six weeks afterwards, under col. Quentin, and must have known if any change had taken place in the discipline. Is it of no consequence that he refused the production of the Duc de Guiche's letter of explanation, in answer to a letter of his own?—the Duc de Guiche, whose absence (compelled by the orders of his Government) is much to be regretted, for considerations of infinitely more importance than the value of his testimony, great as that would have been. Is it of no consequence that, after having told the Court himself, that col. Palmer permitted him to remain in perfect ignorance of a medical report, stating drunkenness, want of necessaries, and inattention to personal cleanliness, as causes of an increase of sickness in the men of the 10th, which might have seriously affected the character of the regiment, and of himself as commanding it, if not inquired into and answered—he then, when col. Palmer proposes to him to call the author of that medical report, Mr. Morrison, into Court, to give an explanation upon this subject, which he (col. Quentin) had introduced himself to the Court, refuses the evidence of Mr. Morrison, upon a technical objection, that his name was not upon the list of witnesses.

I now come to the subject of the letter, upon which I shall state nothing but what I saw and know; and I say that this letter ought never to have risen in evidence against the officers; that it ought never to have seen the light; that it was suppressed almost as soon as written, and that it is to the indiscretion of col. Palmer alone, that its disclosure is to be attributed. I say that col. Palmer owes it to the officers—that he owes it to his own honour, to state distinctly to the country, the manner in which that letter has risen from obscurity to the ruin of twenty-five of his friends, gallant officers, and honourable men. I say nothing of the letter itself; I do not defend it; I do not blame it; I do not blame the consequences that have resulted from it; but I did wish, and I wish still, and I believe it is not now too late, that these officers may be brought to a Court-martial for that letter, and broke, if they shall appear to have been as guilty as they have been represented: as it now stands, they have been condemned without the means or opportunity of defence; and when I have read to your lordships this letter, signed ten years ago by fifteen officers of the Blues—

["The printed paper which has been exhibited in the most public manner, with the name of Mr. Goulburn affixed to it, reflecting the worst possible abuse upon an officer now in the Blues, cannot but give us much concern, as affecting the honour of one of our corps. We declare, in duty and justice to the regiment, to which we belong, that we cannot tacitly consent to partake of the blame or the disrepute, which from this circumstance may, in the opinion of the public, appear to attach to us as a military body, owing to the private conduct of one of its members. As the name of the regiment has been made use of, we think it our duty to come forward with this declaration, and most respectfully to assure our colonel, how sensibly we feel for the honour and character of his regiment, whenever its name is brought into public notice, also of our firm reliance upon his support, and of our constant endeavours to deserve it."] —and when I tell your lordships, that this letter was approved by the King, who then took much pleasure in that regiment, and that captain Horsley was in consequence obliged to leave the regiment, your lordships will feel that there is at least that similarity—I think the similarity is perfect—but at least that similarity between the outset of the transactions, and such a total difference in the results, as to afford some excuse for men who followed this precedent so far as to write a letter, and then to burn it; for their intention, and consequently their real offence amounted to no more: and I think your lordships must also feel that, when coupled with the ruin of twenty-five gallant officers, misled by precedent, and unconscious of crime, it affords to me strong ground for intreating your lordships to rescue the army from that state of law, worse even than bad laws, the *jus vagum et incognitum.* And I much wish that the circumstances of the letter of the 10th Hussars had been subjected to a strict investigation, because it would have prevented a great deal of very unpleasant suspicion and discussion; and I believe the result would have been to show, that neither colonel Palmer, nor any of the parties were intentionally to blame, and that the disclosure of the letter was occasioned by misunderstandings in verbal conversation, by which all these parties were misled, except the officers, who intended nothing, and expected nothing, except that the letter was to be burnt, and was burnt. With respect to col. Palmer, I do not believe, that there ever existed a braver officer, or a more honourable and better man; and in this I have the good fortune to agree with the Court; and if any thing could add to my conviction of the necessity of giving some better mode of reference for the Military Courts to the law officers of the Crown, it would be the anomaly in this trial, by which causes directly opposite have produced precisely the same effect: the signing the letter, and the not signing it, are made equal crimes, and the moderate but unjust censure of the officers by the Court, and their high and just commendation of colonel Palmer, both as to his conduct in the regiment, and upon the trial, are productive of the same bad effects to both, the same destruction to the parties unjustly censured, and to the party justly praised.

There is not one of the articles that requires revision more than that which relates to the subject of this letter of the

Blues,—duels;—if the prerogative of the Crown is not already sufficient to prevent it,—and I very much wished it to be exercised upon a late duel, not only on account of the impropriety of that duel and its absurdity, (for there is not such a fool in the army, who could suppose that it could be useful to any purpose, except the chance of destroying colonel Palmer,) but much more to put an end to suspicions which naturally arose from the circumstances, very imprudent, both as to the persons, the time, and the place, from which that duel is supposed to have originated: and even now since col. Quentin's trial, a young and gallant officer (lieutenant Cowell) has been broke for not prosecuting a quarrel in a way that could lead to nothing but a duel, and in a letter produced in evidence from the officer commanding the regiment, which letter was the foundation of the whole proceeding, the Court expunge this sentence, "You must beware that fighting a duel is contrary to the Articles of War," leaving the remainder in evidence, and then they break him for not proceeding in such a manner as could have ended in nothing but a duel. The prisoner put this question to the Court,—"Was I to understand by this letter, that if I had fought a duel, the Articles of War would have been resorted to, and that not having done so, my commission must have been the forfeit?" Certainly a very unpleasant question; as it made nonsense of their whole proceedings: and how did they get rid of it? They cut the gordian knot; and at once expunged, both question and answer from their minutes. But there is no end to the absurdity of these Courts.

But it has been said, that because these officers are allowed to retain their rank in the army, the punishment is not a severe one, and the words of the letter imply that it is not adequate to their offence. Is it not a severe punishment to be scattered, not over England, not over Europe, but over the world, like a gang of mutineers that cannot be trusted near each other, and to have their disgrace proclaimed to the whole army, at the head of every regiment? Is it not a severe punishment to captain Lloyd, an officer of long standing, the first captain in the regiment, reduced to the last in another; his hopes of promotion in the service retarded, till a time of life when, perhaps, he will be no longer able to serve; wounded, ill treated by the enemy, because he refused to surrender his sword, a sword highly valued by him, because a present from his colonel, received from the very hand which has since signed his ruin? Is it not a severe punishment to the second captain, captain Harding,—a name which it is difficult to pronounce without indignation, when I think how he has been sacrificed, and to what he has been sacrificed,—a name never heard without distinction, and never mentioned without respect; of long service, repeatedly wounded, who, already a soldier, saw the safety of India fixed, under the auspices of a noble marquis, by the fall of Seringapatam; who saw that star rising in the East, to whom the Western world now looks for safety and defence. I mention these circumstances, because, among many other calumnies, it has been circulated that the officers were little more than boys. Is it no punishment to two brothers, of whose honourable principles, of whose zeal for their duties, of whose respect and gratitude to their benefactor, which no harshness can shake or diminish, I can speak with certainty, from personal knowledge, to be sent, perhaps to perish in India? Is it a slight punishment to all these officers to be placed upon half-pay, or as supernumeraries, without the hope of service or the chance of distinction—and now, when the trumpet has already sounded for preparation? I have heard it urged that this sentence is the triumph of justice to an unprotected foreigner, over personal friendship and favoritism. To my mind, there never was a greater misapplication of terms. I have understood the word 'favoritism' to apply to persons who owe their promotion to their private services to the Sovereign, and to his personal favour, but not at all to these officers; not to the son of a noble duke; not to the brother of a noble marquis; not to the nephew of a noble marquis, high in his Majesty's household; nor to many others of them; who, if they are as independent in their minds, as they are in their situations, are placed far above the caprices of power; and who, while they firmly support that key-stone of the constitution, the Crown, and while they respect and love the personal qualities of the Prince who now exercises its power, will spurn at the disgraceful and inapplicable term of 'favoritism.'

I will now state shortly the objects which I intend to recommend to your lordships, as founded on these minutes:—

To define the crimes—To fix the highest punishment to each crime, leaving the mitigation only to the discretion of the Court—To fix the language of the sentences—To give to the Court the power of declaring the charges frivolous and vexatious, and of either ordering or recommending any of the parties to be brought to a Court-martial, if they shall appear to deserve it, but not to punish or censure without trial—To leave the prerogative of the Crown untouched, except by limiting it to a distinct and separate exercise, never mixed with the judicial proceedings—To define the modes of accusation, and of prosecution, so that officers may know what they can do with safety; what they may attempt at their peril; and what they must not do at all—To establish some mode of reference, common to both professions, perhaps a judge independent, and upon the footing of the judges of England—To take off the oath of secrecy, an oath highly injurious to the character of officers, who have not concurred in an unjust sentence—To give to these Courts that publicity which is essential to justice, which is the practice of all our other Courts of Justice, and which forms a most important branch of the Constitution; and to compel the members, after deliberating in private, to give their votes in open Court, upon the principle of increasing the individual responsibility—a principle recognised in the other House of Parliament, in the Act for deciding contested elections;—to direct that clear, distinct, and intelligible rules of evidence be prepared for the guidance of these Courts, and to comprise all these in a few words—To introduce, I hope, under the auspices of the Commander-in-chief, that reform in the judicial part, which has been so successfully effected in every other part of the military system, by that illustrious personage to whom I, in common with the nation, must feel the deepest gratitude for the services which he has rendered to the country, and myself individually; for that kindness and condescension which adorn his private, as much as his ability, his diligence, and his upright intentions, exalt his public character.

My lords; I shall now conclude with moving, "That an humble Address be presented to his royal highness the Prince Regent, to order copies of the Minutes of the Court-martial upon captain Philip Browne of the Hermes, and of the opinion of the Law Officers of the Crown upon that Court-martial, and copies of the Minutes of the Court-martial upon Mr. Lazarus Roberts, midshipman of the Hamadryad, and of the order issued by the Board of Admiralty in consequence of that Court-martial; and copies of the Minutes of the Court-martial upon colonel Quentin of the 10th Hussars; to be laid before this House."

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